



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice September 18, 2023**

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to [cricker@town.arlington.ma.us](mailto:cricker@town.arlington.ma.us) by Monday, September 18, 2023, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, September 15, 2023, at 12:00 pm.

The Arlington Redevelopment Board will meet Monday, September 18, 2023 at 7:30 PM in the **Arlington Community Center, Main Hall, 27 Maple Street, Arlington, MA 02476**

#### **1. Public Hearing: Docket #3766, 351 Broadway**

7:30 pm Notice is herewith given that an application has been filed on August 22, 2023, by SRP Sign Corporation, 236 Pearl Street, Somerville, MA, for Thai Moon 315 Broadway, Arlington, MA, to open Special Permit Docket #3766 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review, and Section 6.2 Signs. The applicant proposes to replace the wall signs and awning located at 315 Broadway, Arlington, MA, in the Village Business Zoning District (B3) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss Docket and may vote.

#### **2. Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting**

8:00 pm The ARB will deliberate on the proposed zoning amendments. The public hearing will include time both for public comment and for deliberation and discussion by the Board.

##### **ARTICLE B (tentatively scheduled, subject to change) ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND

DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

**ARTICLE C (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

**ARTICLE D (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

**ARTICLE E (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

**ARTICLE F (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS**

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

**ARTICLE G (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

**ARTICLE H (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION**

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

**ARTICLE I (tentatively scheduled, subject to change)**  
**ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

**ARTICLE J (tentatively scheduled, subject to change)**

### **ZONING BYLAW AMENDMENT / STREET TREES**

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

#### **3. Upcoming Meeting Schedule**

10:00 pm      The Board will finalize their October meeting schedule.

#### **4. Adjourn**

10:15 pm      (Estimated)

#### **5. Correspondence**



## Town of Arlington, Massachusetts

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### Public Hearing: Docket #3766, 351 Broadway

#### Summary:

7:30 pm

Notice is herewith given that an application has been filed on August 22, 2023, by SRP Sign Corporation, 236 Pearl Street, Somerville, MA, for Thai Moon 315 Broadway, Arlington, MA, to open Special Permit Docket #3766 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review, and Section 6.2 Signs. The applicant proposes to replace the wall signs and awning located at 315 Broadway, Arlington, MA, in the Village Business Zoning District (B3) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss Docket and may vote.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	315_Broadway_EDR_Special_Permit_application.pdf	315 Broadway EDR Special Permit application
▢ Reference Material	EDR_memo_Docket_3766_315_Broadway_signage.pdf	EDR memo Docket 3766 315 Broadway signage

## REQUIRED SUBMITTALS CHECKLIST

One electronic copy of your application is required; print materials may be requested. Review the ARB's Rules and Regulations, which can be found at [www.arlingtonma.gov/arb](http://www.arlingtonma.gov/arb), for the full list of required submittals.

☒ **Application Cover Sheet (project and property information, applicant information)**

☐ **Dimensional and Parking Information Form (see attached)**

☐ **Impact statement**

Statement should respond to Environmental Design Review (Section 3.4) and Special Permit (Section 3.3) criteria on pages 6-8 of this packet); include:

- LEED checklist and sustainable building narrative as described in criteria 12.
- Summary of neighborhood outreach, if held or planned.

☐ **Drawing and photographs of existing conditions**

- Identify boundaries of the development parcel and illustrate the existing conditions on that parcel, adjacent streets, and lots abutting or directly facing the development parcel across streets.
- Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.

☐ **Site plan of proposal. Must include:**

- Zoning boundaries, if any, and parcel boundaries;
- Setbacks from property lines;
- Site access/egress points;
- Circulation routes for pedestrians, bicyclists, passenger vehicles, and service/delivery vehicles;
- New buildings and existing buildings to remain on the development parcel, clearly showing points of entry/exit;
- Other major site features within the parcel or along its perimeter, including but not limited to trees, fences, retaining walls, landscaped screens, utility boxes, and light fixtures;
- Spot grades or site topography and finish floor level;
- Open space provided on the site;
- Any existing or proposed easements or rights of way.

☐ **Drawings of proposed structure**

- Schematic drawings of each interior floor of each proposed building, including basements.
- Schematic drawings of the roof surface(s), identifying roof materials, mechanical equipment, screening devices, green roofs, solar arrays, usable outdoor terraces, and parapets.
- Elevations of each exterior façade of each building, identifying floor levels, materials, colors, and appurtenances such as mechanical vents and light fixtures.
- Drawings from one or more prominent public vantage point illustrating how the proposed project will appear within the context of its surroundings.
- Graphic information showing façade materials and color samples.
- Include lighting plan and fixtures if not provided on site or landscaping plan.

☐ **Vehicle, Bicycle, and Service Vehicle Plans**

- Parking and loading plans, including all vehicle and bicycle parking facilities located on the parcel or within a structure, showing dimensions of spaces, driveways, access aisles, and access/egress points. Include line-of-sight and turning radius along with length and type of delivery truck.
- If you are requesting a reduction in the amount of required parking, include a Transportation Demand Management Plan per Section 6.1.5.
- Plans of all bicycle parking facilities located on the lot and within any structure, including dimensions of spaces and access routes and types of bicycle racks.

☐ **Sustainable Building and Site Design Elements**

- A solar energy systems assessment per Section 6.4, which must include:
  - An analysis for solar energy system(s) for the site detailing layout and annual production;
  - The maximum feasible solar zone area of all structures; and,
  - Drawings showing the solar energy system you propose, with a narrative describing the system, the reasons the system was chosen, and how the system meets the requirements of Section 6.4; or
  - A detailed explanation of why the project meets an exemption of Section 6.4.2.
- LEED checklist and narrative per EDR criterion 13.

☐ **Proposed landscaping (*may be incorporated into site plan*)**

Schematic drawing(s) illustrating and clearly labels all landscape features, including hardscape materials, permeable areas, plant species, and light fixtures.

☒ **Plans for sign permits, if signage is an element of development proposal**

☐ **Stormwater management plan**

*(for stormwater management during construction for projects with new construction)*

☐ **SketchUp Compatible Model, if required**

☒ **Application fee**

*(See [Rule 12 of the ARB Rules and Regulations](#) for how to calculate the fee)*

**FOR OFFICE USE ONLY**

\_\_\_\_\_ Special Permit Granted

\_\_\_\_\_ Received evidence of filing with Registry of Deeds

\_\_\_\_\_ Notified Building Inspector of Special Permit filing

Docket #: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## COVER SHEET

### Application for Special Permit in Accordance with Environmental Design Review

#### PROPERTY AND PROJECT INFORMATION

- Property Address 315 Broadway Arlington, MA  
Assessors Block Plan, Block, Lot No. n/a Zoning District B3
- Deed recorded in the Registry of deeds, Book n/a, Page n/a  
or- registered in Land Registration Office, Cert. No. n/a, in Book n/a, Page n/a.
- Present Use of Property (include # of dwelling units, if any)  
Commercial restaurant
- Proposed Use of Property (include # of dwelling units, if any)  
No change, property to be commercial restaurant

#### APPLICANT INFORMATION

- Applicant:** Identify the person or organization requesting the Special Permit:  
Name of Applicant(s) Stuart Pitchel  
Organization SRP Sign Corporation  
Address 236 Pearl St, Somerville, MA 02145  
Street City, State, Zip  
Phone 617-623-6222 Email stuart@srpsigns.com
- Applicant Interest:** the applicant must have a legal interest in the subject property:  
☐ Property owner ☐ Purchaser by land contract  
☐ Purchaser by option or purchase agreement ☒ Lessee/tenant
- Property Owner** ☐ Check here if applicant is also property owner  
Identify the person or organization that owns the subject property:  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Organization TRITON-ARLINGTON LLC Phone 781-460-2006  
Address 397 Main St, Woburn, MA 01801  
Street City, State, Zip  
Phone 781-460-2006 Email psimboli@acsdevelopment.com



**ARLINGTON REDEVELOPMENT BOARD**

Application for Special Permit Under Environmental Design Review

4. **Representative:** Identify any person representing the property owner or applicant in this matter:

Name n/a Title n/a

Organization \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
Street City, State, Zip

Phone \_\_\_\_\_ Email \_\_\_\_\_

5. Permit applied for in accordance with the following Zoning Bylaw section(s)

n/a n/a

\_\_\_\_\_

\_\_\_\_\_

section(s)

title(s)

6. List any waivers being requested and the Zoning Bylaw section(s) which refer to the minimum or maximum requirements from which you are seeking relief.

n/a n/a

\_\_\_\_\_

\_\_\_\_\_

section(s)

title(s)

7. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, check the options that apply)

The applicant states that Thai Moon is the owner ☐ or occupant ☒ or purchaser under agreement ☐  
of the property in Arlington located at 315 Broadway  
which is the subject of this application; and that unfavorable action ☐ or no unfavorable action ☒ has been taken by  
the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant  
expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the  
Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s):

236 Pearl St Somerville, MA 02145

Address

617-623-6222

Phone



## DIMENSIONAL AND PARKING INFORMATION

Property Location: 315 Broadway

Zoning District: B3

Applicant: Thai Moon

Address: 315 Broadway

Present Use/Occupancy: No. of Dwelling Units:  
1 Commercial Restaurant

Uses and their gross square feet:  
1 Commercial Restaurant

Proposed Use/Occupancy: No. of Dwelling Units:  
1 Commercial Restaurant

Uses and their gross square feet:  
1 Commercial Restaurant

	Present Conditions	Proposed Conditions	Min. or Max. Req'd by Zoning for Proposed Use	
Lot Size	n/a	n/a	min.	n/a
Frontage	n/a	n/a	min.	n/a
Floor Area Ratio <sup>1</sup>	n/a	n/a	max.	n/a
Lot Coverage (%), where applicable	n/a	n/a	max.	n/a
Lot Area per Dwelling Unit (sf)	n/a	n/a	min.	n/a
Front Yard Depth (feet)	n/a	n/a	min.	n/a
Side Yard Width (feet) right side	n/a	n/a	min.	n/a
left side	n/a	n/a	min.	n/a
Rear Yard Depth (feet)	n/a	n/a	min.	n/a
Height stories	n/a	n/a	stories <sup>2</sup>	n/a
feet	n/a	n/a	Feet	n/a
Open Space (% of G.F.A.) <sup>3</sup>	n/a	n/a	min.	n/a
Landscaped (sf)	n/a	n/a	(sf)	n/a
Usable (sf)	n/a	n/a	(sf)	n/a
Parking Spaces (#) <sup>4</sup>	n/a	n/a	min.	n/a
Parking Area Setbacks (feet) (where applicable)	n/a	n/a	min.	n/a
Loading Spaces (#)	n/a	n/a	min.	n/a
Bicycle Parking <sup>5</sup> short term	n/a	n/a	min.	n/a
long term	n/a	n/a	min.	n/a

<sup>1</sup> FAR is based on Gross Floor Area. See Section 5.3.22 for how to calculate Gross Floor Area. On a separate page, provide the calculations you used to determine FAR, including the calculations for Gross Floor Area.

<sup>2</sup> Where two heights are noted in the dimensional tables, refer to Section 5.3.19, Reduced Height Buffer Area to determine the applicable height or the conditions under which the Board may provide relief.

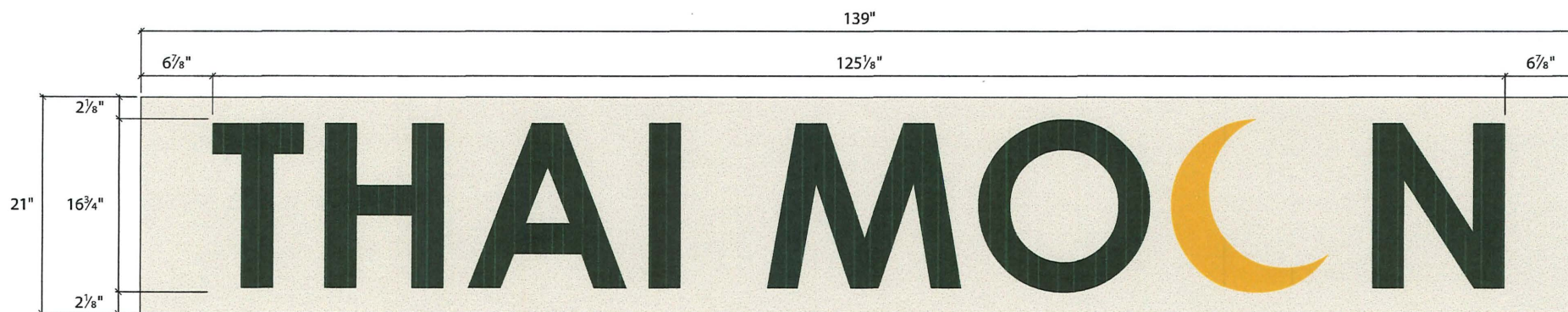
<sup>3</sup> Per Section 5.3.22(C), district dimensional requirements are calculated based on GFA. On a separate page, show how you determined the open space area amounts.

<sup>4</sup> See Section 6.1, Off-Street Parking. If requesting a parking reduction, refer to Section 6.1.5.

<sup>5</sup> See Section 6.1.12, Bicycle Parking, or refer to the [Bicycle Parking Guidelines](#).

Main ID  
 Halo Lit Fabricated Letters  
 16-3/4"H x 2" Deep  
 Faces Painted Akzo Nobel 314C5 Metallic Gold  
 Returns Painted Black  
 21" x 139" x 4-1/2" Fabricated Backer  
 Painted to Match Building Facade

Qty. (1)




Match Building Color



Akzo Nobel 349D4 (Gold)



Akzo Nobel 616H3 (Dark Green)

<b>SRPSIGN</b> CORPORATION 236 PEARL STREET SOMERVILLE, MA 02145 (617) 623-6222	PROJECT: MAIN ID		<small>           PROPRIETARY NOTICE:            THIS DRAWING, SHEET AND CONTENTS            HEREIN ARE THE PROPERTY OF SRP            SIGN CORPORATION. USE OF THIS            DRAWING'S CONTENTS OR DESIGN            CONCEPTS FOR PURPOSES OTHER            THAN ESTIMATING, IMAGING            PREPARED BY SRP SIGN            CORPORATION SHALL BE CAUSE FOR            LEGAL ACTION BY SRP SIGN            CORPORATION.         </small>	 <b>1</b>
	ADDRESS: 315 BROADWAY, ARLINGTON, MA 02474			
	CLIENT: THAI MOON			
	DRAWN BY: ADAM KNAUER	DATE: 11-15-2022		
DESCRIPTION: EXTERIOR SIGNAGE				
FILE LOCATION: Clients\Thai Moon\Main ID\ThaiMoon_MainID_v14.pdf				

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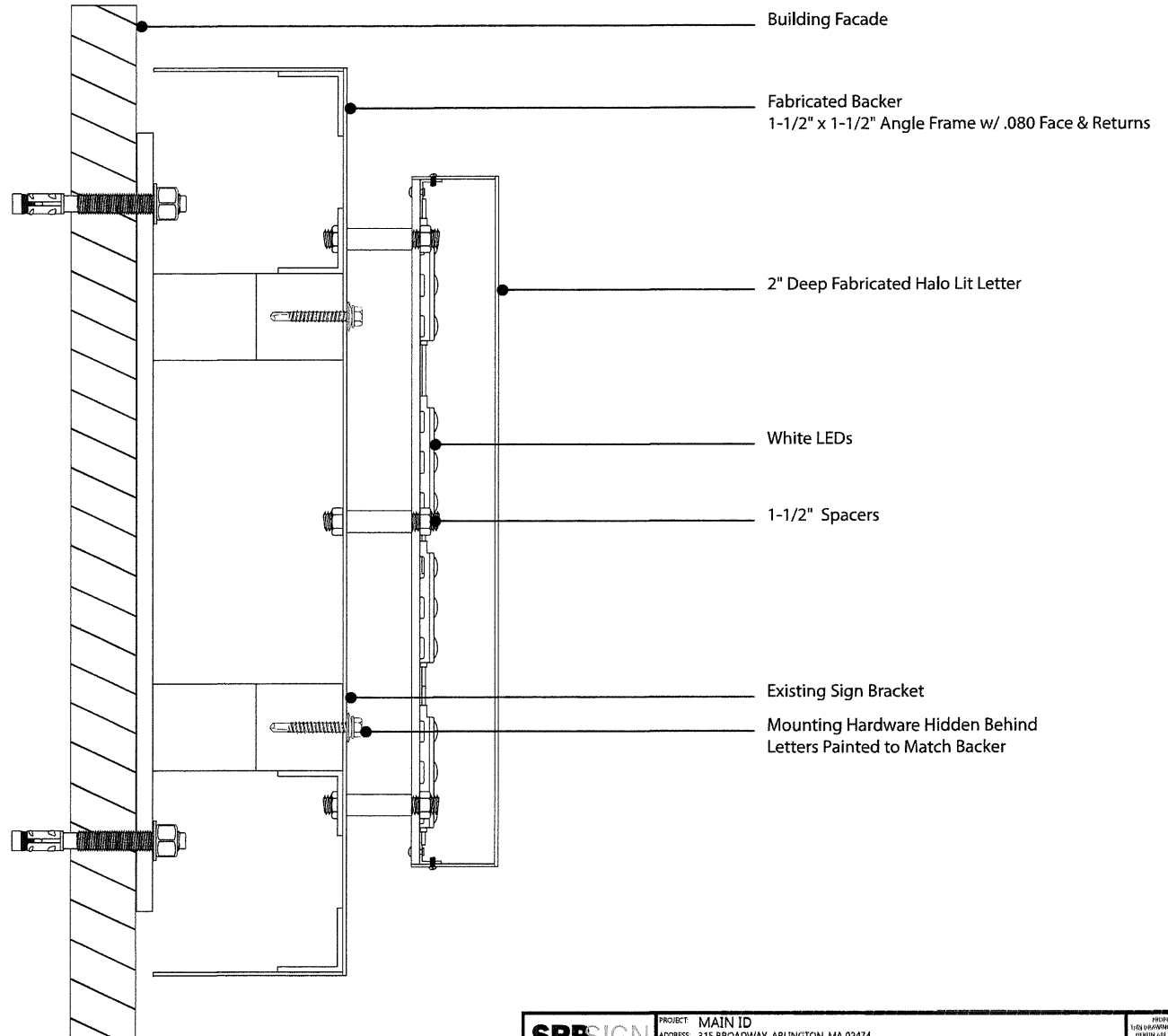
<b>SRP SIGN</b> CORPORATION 236 PEARL STREET SOMERVILLE, MA 02145 (617) 623-6222	PROJECT: MAIN ID	
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2

Main ID  
Halo Lit Fabricated Letters  
16-3/4"H x 2" Deep  
Faces Painted Akzo Nobel 314C5 Metallic Gold  
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Painted to Match Building Facade

Qty. (1)



**SRPSIGN**  
CORPORATION  
236 PEARL STREET  
SOMERVILLE, MA 02145  
(617) 623-6222

PROJECT: MAIN ID  
ADDRESS: 315 BROADWAY, ARLINGTON, MA 02474  
CLIENT: THAI MOON  
DRAWN BY: ADAM KNAUER  
DATE: 11-15-2022  
DESCRIPTION: EXTERIOR SIGNAGE  
FILE LOCATION: Clients\Thai Moon\Main ID\Thai Moon\_MainID\_v14.pdf

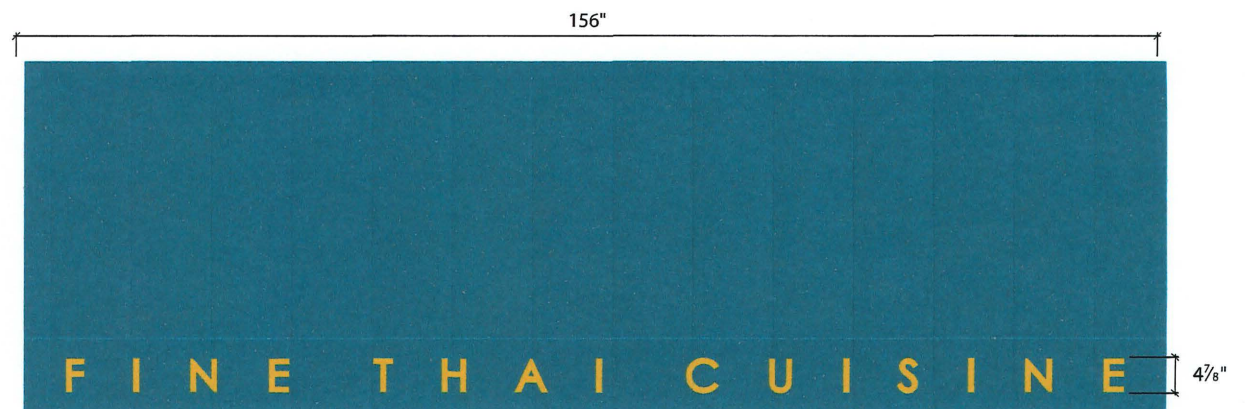
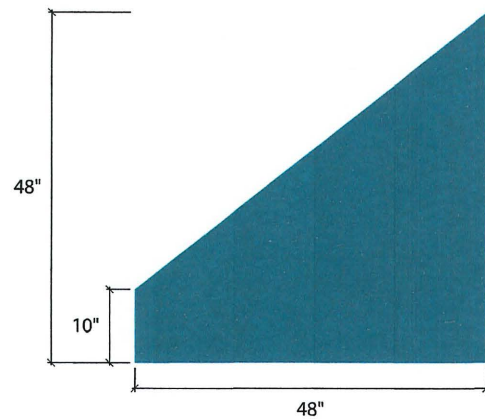
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MANUFACTURING FOR SRP SIGN  
CORPORATION SHALL BE CAUSE FOR  
LEGAL RECOVERY BY SRP SIGN  
CORPORATION

3



Awning  
Existing Awning to be Recovered in Sunbrella Fabric  
Painted Gold Text on Valance


Qty. (1)



White

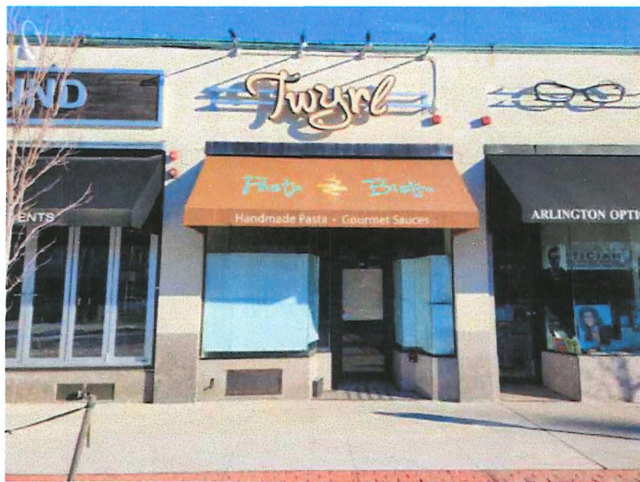


Sunbrella Turquoise

<b>SRPSIGN</b> CORPORATION 236 PEARL STREET SOMERVILLE, MA 02145 (617) 623-6222	PROJECT: MAIN ID	
	ADDRESS: 315 BROADWAY, ARLINGTON, MA 02474	
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Main ID  
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 Faces Painted Akzo Nobel 314C5 Metallic Gold  
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 21" x 139" x 4-1/2" Fabricated Backer  
 Painted to Match Building Facade

Qty. (1)





Existing Conditions



Proposed Signage

173"  
A.F.F.

-  Match Building
-  Akzo Nobel 349D4 (Gold)
-  White
-  Akzo Nobel 616H3 (Dark Green)
-  Sunbrella Turquoise

<div><div><div>SRP SIGN</div><div>CORPORATION</div></div><div>236 PEARL STREET SOMERVILLE, MA 02145 (617) 623-6222</div></div>	PROJECT: MAIN ID	
	ADDRESS: 315 BROADWAY, ARLINGTON, MA 02474	
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**Town of Arlington, Massachusetts**  
**Department of Planning and Community Development**  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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## **Public Hearing Memorandum**

*The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.*

**To:** Arlington Redevelopment Board  
**From:** Claire V. Ricker, AICP Secretary Ex-Officio  
**Subject:** Environmental Design Review, 315 Broadway, Arlington, MA, Docket #3766  
**Date:** September 14, 2023

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### **I. Docket Summary**

This is an application by SRP Sign Corporation, 236 Pearl St, Somerville, MA 02145, for Triton-Arlington LLC, 397 Main St, Woburn, MA 01801, to open Special Permit Docket #3766 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2 Signs.

The applicant proposes to replace one exterior wall sign and one awning for a storefront in a multi-tenant building, located at 315 Broadway, in the Village Business Zoning District (B3) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Photographs of existing signs;
- Dimensional and lighting information of the proposed signage; and
- Renderings of signage.

The property at 315 Broadway is multi-tenant building located at Broadway Plaza. The property owner seeks to replace the existing wall sign and awning of the previous business.

Section 6.2, Signs, directs the Redevelopment Board to review any requests for signage special permits via Environmental Design Review. Given that the wall sign and awning sign exceed the maximum

dimensional requirements for width permitted by the Zoning Bylaw and internal illumination is proposed, this application was forwarded to the ARB for review.

## II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

### 1. Section 3.3.3.A.

**The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.**

The applicant has a restaurant at this location in the B3 Village Business Zoning District. The signage is the subject of the special permit as required by Section 6.2, Signs. The Board can find that this condition is met.

### 2. Section 3.3.3.B.

**The requested use is essential or desirable to the public convenience or welfare.**

A restaurant has operated at this location for many years, and the business provides a service to the community. The Board can find that this condition is met.

### 3. Section 3.3.3.C.

**The requested use will not create undue traffic congestion or unduly impair pedestrian safety.**

Only the signage is subject to review. The Board can find that this condition is met.

### 4. Section 3.3.3.D.

**The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

Only the signage is subject to review. The Board can find that this condition is met.

### 5. Section 3.3.3.E.

**Any special regulations for the use as may be provided in the Bylaw are fulfilled.**

No special regulations are applicable to the proposal. The Board can find that this condition is met.

### 6. Section 3.3.3.F.

**The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.**

The use does not impair the integrity or character of the neighborhood. The Board can find that this condition is met.

### 7. Section 3.3.3.G.

**The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.**

The use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

### III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

#### 1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

There are no changes to the landscape as there are no proposed exterior alterations other than the proposed new signage. The Board can find that this condition is met.

#### 2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

There are no changes to the exterior of the building other than the proposed new signage. The Board can find that this condition is met.

#### 3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

There are no changes to open space resulting from this sign proposal. The Board can find that this condition is met.

#### 4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

There are no changes to any circulation patterns. The Board can find that this condition is met.

#### 5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system.

Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to ensure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

There will be no changes to the exterior of the building or surface water run-off because of this proposal. The Board can find that this condition is met.

#### **6. EDR-6 Utilities Service**

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

There will be no changes to the utility service resulting from this proposal. The Board can find that this condition is met.

#### **7. EDR-7 Advertising Features**

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The applicant proposes to replace 1 existing exterior wall sign and 1 existing awning above the storefront of the restaurant Thai Moon, located at 315 Broadway in the Village Business Zoning District (B3) and Business Sign District. A Special Permit has been requested to allow the business to install signage in excess of what is permitted. An 10.4'-wide by 1.4'-high raceway wall sign with internal LED illumination is proposed for a storefront approximately 13' wide. The channel letters would be mounted to a 4.5" panel painted to match the color of the building façade. Also, a new, non-illuminated awning sign is proposed with 12.4'-wide by 5"-high lettering.

Both signs proposed in this application exceed the maximum sign width allowed based on the width of the building element and the awning face. The total sign area is within the allowable square footage. The location of the signage will not change, and the proposed signage is smaller in area than the existing signage of the former restaurant at this location. Per Section 6.2.2(C), the ARB may grant a Special Permit to allow signs of greater size and/or in a location other than what is allowed by section 6.2, "provided the architecture of the building, the location of the building relative to the street, or the nature of the use being made of the building is such that an additional sign or signs of a larger size should be allowed in the public interest."

#### **8. EDR-8 Special Features**

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

No changes are proposed. The Board can find that this condition is met.

**9. EDR-9 Safety**

**With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.**

No changes are proposed. The Board can find that this condition is met.

**10. EDR-10 Heritage**

**With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.**

The property at 315 Broadway is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. The Board can find that this condition is met.

**11. EDR-11 Microclimate**

**With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.**

No changes are proposed. The Board can find that this condition is met.

**12. EDR-12 Sustainable Building and Site Design**

**Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.**

No changes are proposed. The Board can find that this condition is met.

**IV. Findings**

1. The ARB finds that the retail and commercial use of the building is supportive of Board and Town economic development goals such that allowing a sign to be installed across more of the sign band than is otherwise allowed, is in the public interest consistent with Section 6.2 of the Zoning Bylaw.
2. The ARB finds that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.

V. Conditions

1. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.





## Town of Arlington, Massachusetts

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### Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting

#### Summary:

8:00 pm

The ARB will deliberate on the proposed zoning amendments. The public hearing will include time both for public comment and for deliberation and discussion by the Board.

#### **ARTICLE B (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

#### **ARTICLE C (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

#### **ARTICLE D (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

#### **ARTICLE E (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

#### **ARTICLE F (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS**

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

#### **ARTICLE G (tentatively scheduled, subject to change)**

##### **ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

**ARTICLE H (tentatively scheduled, subject to change)**

**ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION**

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

**ARTICLE I (tentatively scheduled, subject to change)**

**ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

**ARTICLE J (tentatively scheduled, subject to change)**

**ZONING BYLAW AMENDMENT / STREET TREES**

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

**ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	20230918_2023_Fall_TM_zoning_amendments.pdf	20230918 2023 Fall TM zoning amendments
▢ Reference Material	12-2022_DPCD_memo_2023_ARB_Zoning_Amendments.pdf	12-2022 DPCD memo 2023_ARB_Zoning_Amendments



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Arlington Redevelopment Board  
From: Claire V. Ricker, AICP Director of Planning and Community Development  
Date: September 14, 2023  
RE: ARB Draft Amendments for Fall 2023 Special Town Meeting

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The ARB has proposed a number of adjustments in the Business Districts to encourage economic development by limiting or eliminating barriers to redevelopment, and by requiring new development to meet certain minimum requirements. The following warrant articles and draft amendments are proposed for the Fall 2023 Special Town Meeting. For discussion purposes, the proposed warrant articles are listed in this table:

Article	Zoning Bylaw Amendment	Page
Article B	<a href="#">Open Space in Business Districts</a>	2
Article C	<a href="#">Rear Yard Setbacks in Business Districts</a>	6
Article D	<a href="#">Step Back Requirements in Business Districts</a>	9
Article E	<a href="#">Reduced Height Buffer Area</a>	11
Article F	<a href="#">Corner Lot Requirements</a>	12
Article G	<a href="#">Height and Story Minimums in Business Districts</a>	13
Article H	<a href="#">Administrative Correction</a>	15
Article I	<a href="#">Residential Uses in Business Districts</a>	16
Article J	<a href="#">Street Trees</a>	19

# OPEN SPACE IN BUSINESS DISTRICTS

## WARRANT ARTICLE

### ARTICLE B

### ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

## DRAFT AMENDMENTS

### Section 2: Definitions

Open Space, Landscaped: Open space designed and developed for pleasant appearances in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof or balcony ~~not more than 10 feet above the level of the lowest story used for dwelling purposes~~. Refer to Section 5.3.22.C. for how to calculate landscaped open space.

Open Space, Usable: The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation, including swimming pools, tennis courts, or similar facilities, or for garden or for household service activities such as clothes drying; which space is at least 75% open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required. Such space may include open area accessible to and developed for the use of the occupants of the building and located upon a roof or balcony ~~not more than 10 feet above the level of the lowest story used for dwelling purposes~~. Open space shall be deemed usable only if ~~at least 75% of the area has a grade of less than 8% and~~ no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings with surface parking, no horizontal dimension shall be less than 20 feet. Refer to Section 5.3.22.C for how to calculate usable open space.

### Section 5.3.21: Supplemental Requirements in the Business and Industrial Districts (paragraph d)

#### A. Screening and Buffers: Industrial and Business Districts and Parking Lots

- (1) Screening and space buffers shall be required in any Industrial (I) or Business (B) district that abuts certain buildable residential lots. The minimum width of the buffer shall be as follows:

I or B District	Abutting R District	Minimum Buffer
I, B5	R0 through R5	25 ft.
B3, B2A, B4	R0 through R5	15 ft.
I	R6 through R7	10 ft.
B1, B2	R0 through R5	10 ft.

The strip shall contain a screen of plantings of vertical habit not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs or trees shall be planted not more than 20 feet on center, and shall thereafter be maintained by the owner or occupants to maintain a dense screen year-round. At least

50% of the plantings shall consist of evergreens and they shall be evenly spaced. A solid wall or solid wooden fence, five to six feet in height, complemented by suitable plantings, may be substituted for one-half the required width of such landscaped buffer strip; however, provisions of this section shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of Sections 5.5 and 5.6. No screen shall be closer than 10 feet to a public or private way. Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not limited to coated chain link or "wrought iron" types may be substituted for the required wall or fence. See Section 5.3.7 for screening and buffer requirements for Business districts, Industrial districts, and parking lots.

- (2) For any area used for the parking of more than five vehicles, the screening provisions of Section 6.1, Off-Street Parking, shall apply.
- B. Accessory Structures. Accessory structures must comply with the minimum yard, maximum height, and minimum open space requirements of the district in which they are located.
- C. Upper-Story Setbacks. In any district where the maximum building height exceeds three stories, upper-story building setbacks shall be required. See Section 5.3.17 for Upper Story Step Back requirements.
- D. ~~For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.~~

#### **Section 5.3.22: Gross Floor Area**

- A. For the purposes of this bylaw, the following areas of buildings are to be included in the calculation of Gross Floor Area:
  - (1) Elevator shafts and stairwells on each floor;
  - (2) Attic areas with headroom, measured from subfloor to the bottom of the roof structure, of seven feet, except as excluded in (4) below;
  - (3) Interior mezzanines;
  - (4) Penthouses;
  - (5) Basement areas except as excluded in (2) below;
  - (6) Cellars in residential uses;
  - (7) All-weather habitable porches and balconies; and
  - (8) Parking garages except as excluded in (1) below.
- B. For the purposes of this bylaw, the follow areas of buildings are to be excluded from the calculation of Gross Floor Area:
  - (1) Areas used for accessory parking, or off-street loading purposes;
  - (2) Basement areas devoted exclusively to mechanical uses accessory to the operation of the building;
  - (3) Open or lattice enclosed exterior fire escapes;

- (4) Attic and other areas used for elevator machinery or mechanical equipment accessory to the operation of the building; and
  - (5) Unenclosed porches, balconies, and decks.
- C. For the purposes of this bylaw, the district dimensional requirements for Usable Open Space and Landscaped Open Space are calculated based on Gross Floor Area lot area.

## Section 5.5.2: Dimensional and Density requirements

### B District Open Space and Lot Coverage

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
<b>B1</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Mixed-use	20%	<del>Sec. 5.3.21</del> ----	-----
Any other permitted use	20%	<del>Sec. 5.3.21</del> ----	-----
<b>B2</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use	<del>40%</del> 15%	<del>Sec. 5.3.21</del> ----	-----
Any other permitted use	<del>40%</del> 15%	<del>Sec. 5.3.21</del> ----	-----
<b>B2A</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW ≤50 ft.	10%	25%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use ≤20,000 sq. ft.	<del>-----</del> 15%	<del>Sec. 5.3.21</del> ----	-----
Mixed-use >20,000 sq. ft.	<del>40%</del> 15%		-----
Any other permitted use	<del>20%</del> 15%	<del>Sec. 5.3.21</del> ----	-----
<b>B3</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use ≤20,000 sq. ft.	<del>-----</del> 15%	<del>Sec. 5.3.21</del> ----	-----
Mixed-use >20,000 sq. ft.	<del>40%</del> 15%		-----
Any other permitted use	<del>20%</del> 15%	<del>Sec. 5.3.21</del> ----	-----
<b>B4</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW ≤50 ft.	10%	30%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use ≤20,000 sq. ft.	<del>-----</del> 15%	<del>Sec. 5.3.21</del> ----	-----
Mixed-use >20,000 sq. ft.	<del>40%</del> 15%		-----
Any other permitted use		<del>Sec. 5.3.21</del> ----	-----
<b>B5</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	15%	-----
Mixed-use ≤ 20,000 sq. ft.	<del>-----</del> 15%	<del>Sec. 5.3.21</del> ----	-----
Mixed-use > 20,000 sq. ft.	<del>40%</del> 15%		-----



	Minimum/Maximum Requirement		
Any other permitted use	<del>40%</del> 15%	(20% for residential use)	-----
On a lot >= 40,000 sq. ft.	<del>40%</del> 15%	Sec. 5.3.24	-----
On a lot >= 80,000 sq. ft.	<del>40%</del> 15%	Sec. 5.3.24	-----

# REAR YARD SETBACKS IN BUSINESS DISTRICTS

## WARRANT ARTICLE

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### ARTICLE C ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

## DRAFT AMENDMENTS

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Amend Section 2, Definitions, as follows:

Building Step Back: An upper story building setback provided along the entire principal façade of a building with street frontage.

Amend Section 5.3.17, Upper-Story Building Step Backs, as follows:

For buildings in excess of four stories in height, a seven and one-half foot step back (upper story building setback) shall be at the fifth story on the entire principal façade of the building. For a building with street frontage on Massachusetts Avenue or Broadway, the principal façade and principal property line are presumed to be facing Massachusetts Avenue or Broadway, respectively, unless the Arlington Redevelopment Board determines otherwise.

The upper-story step back shall be measured from the principal property line for the building and may be on the fifth story or may be a combination of various story setbacks so that the fifth story is setback the required amount from the principal property line.

Amend Sections 5.3.21.C., D., and E, Supplemental Requirements in the Business and Industrial Districts, as follows:

- C. For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.
- D. Minimum side and rear yards in Industrial Districts and minimum front, side, and rear yard are not required when abutting railroad track or railroad right-of-way if railroad is utilized for loading or unloading.

## B District Yard and Open Space Requirements

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
<b>B1</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Mixed-use	20	10	20*
Any other permitted use	20	10	20*
<b>B2</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	20	10	20
Mixed-use ≤20,000 sq. ft.	-----	-----	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
<b>B2A</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW ≤50 ft.	15	10+(L/10)	30
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	(H+L)/6 (at least 30 ft)
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
<b>B3</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6	(H+L)/6
Mixed-use ≤20,000 sq. ft.	0	0	(H+L)/6*
Mixed-use >20,000 sq. ft.	0	0	(H+L)/6*
Any other permitted use <20,000 sq. ft.	-----	-----	(H+L)/6*
Any other permitted use >20,000 sq. ft.	-----	-----	(H+L)/6*
<b>B4</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW ≤50 ft.	15	10+(L/10)	30
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	(H+L)/6 (at least 30 ft.)
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
<b>B5</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6 (at least 20 ft.)	(H+L)/6 (at least 20 ft.)
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use			(H+L)/6*
On a lot ≥40,000 sq. ft.	-----	-----	(H+L)/6*
On a lot ≥80,000 sq. ft.	-----	-----	(H+L)/6*

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

**\*Amendment: amend to one of the following:**

1. Variable rear yard setback accompanied by an amendment to Section 5.3.19, Reduced Height Buffer Area
  - 0 feet when abutting an alley or rear right-of-way
  - 10 feet when abutting non-residential districts
  - 20 feet for first three floors abutting a residential district
  - 30 feet for fourth and higher stories when abutting residential districts
2. Amend all rear yard setbacks annotated with an \* to a consistent 15 feet.

# STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

## WARRANT ARTICLE

### ARTICLE D ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

## DRAFT AMENDMENTS

Amend Section 5.5.2: Dimensional and Density requirements as follows:

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
<b>B1</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Mixed-use	20	10	*
Any other permitted use	20	10	*
<b>B2</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	20	10	*
Mixed-use ≤20,000 sq. ft.			*
Mixed-use >20,000 sq. ft.	0	0	*
Any other permitted use	-----	-----	*
<b>B2A</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW ≤50 ft.	15	10+(L/10)	<del>30*</del>
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	
Mixed-use ≤20,000 sq. ft.	0	0	*
Mixed-use >20,000 sq. ft.	0	0	*
Any other permitted use	-----	-----	*
<b>B3</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6	*
Mixed-use ≤20,000 sq. ft.	0	0	*
Mixed-use >20,000 sq. ft.	0	0	*
Any other permitted use <20,000 sq. ft.			*
Any other permitted use >20,000 sq. ft.	-----	-----	*
<b>B4</b>			

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW $\leq$ 50 ft.	15	$10+(L/10)$	*
Apartments on street w/ ROW $>$ 50 ft.	$15+(H/10)$	$(H+L)/6$	*
Mixed-use $\leq$ 20,000 sq. ft.	0	0	*
Mixed-use $>$ 20,000 sq. ft.	0	0	*
Any other permitted use	-----	-----	*
<b>B5</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	$15+(H/10)$	$(H+L)/6$ (at least 20 ft.)	*
Mixed-use $\leq$ 20,000 sq. ft.	0	0	*
Mixed-use $>$ 20,000 sq. ft.	0	0	*
Any other permitted use			*
On a lot $\geq$ 40,000 sq. ft.	-----	-----	*
On a lot $\geq$ 80,000 sq. ft.	-----	-----	*

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section **Error! Reference source not found.** for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

\* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width

\* 10 feet when abutting a non-residential district

\* 20 feet for three or fewer stories when abutting a residential district

\* 30 feet for four and more stories when abutting a residential district

\* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.



# REDUCED HEIGHT BUFFER AREA

## WARRANT ARTICLE

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### ARTICLE E

### ZONING BYLAW AMENDMENT/REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

## DRAFT AMENDMENT

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### Section 5.3.19: Reduced Height Buffer Area

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless a finding of the Board of Appeals or the Arlington Redevelopment Board, as applicable, determines that the location, based on site-specific factors, or if the Applicant demonstrates to the satisfaction of the Board of Appeals or the Arlington Redevelopment Board, as applicable, that proximity to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS district would not be adversely affected due to existing use or topographic condition will not be detrimental based upon criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within <del>200</del> <u>50</u> feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within <del>450</del> <u>35</u> feet
Southerly, between southeast and southwest	Within <del>400</del> <u>25</u> feet

# CORNER LOT REQUIREMENTS

## WARRANT ARTICLE

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### ARTICLE F

### ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

## DRAFT AMENDMENT

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### Section 5.3.8: Corner Lots and Through Lots

- A. A corner lot shall have minimum street yards with depths which shall be the same as the required front yard depths for the adjoining lots, except in the Business Districts a corner lot shall have the minimum street yards with depth for its front and side yard as required by the front and side yard setback requirements, as applicable, for the district in which it is located.

# HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

## WARRANT ARTICLE

### ARTICLE G ZONING BYLAW AMENDMENT/ HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

#### DRAFT AMENDMENT

Amend 5.5.2 by adding Section 5.5.2.C. Minimum Height and Story Requirements for the Business Districts

#### C. Minimum Height and Story Requirements for the Business Districts

In the Business Districts, buildings shall be a minimum of two stories and twenty-six feet in height. Both stories shall be usable. The requirement shall not apply to single family residential buildings. The Arlington Redevelopment Board may waive or modify the minimum height and story requirement if it finds that the requirement is infeasible for the property or project.

#### B District Building Height and Floor Area Ratio Regulations

District Use	Minimum Allowed		Maximum Allowed		
	Minimum Height (ft.)	Minimum Height (stories)	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
<b>B1</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2 ½	0.75
Mixed-use	<u>2</u>	<u>25</u>	35	3	0.75
Any other permitted use	<u>2</u>	<u>25</u>	35	3	0.75
<b>B2</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2 ½	0.75
Townhouse or apartment building	----	----	35	3	1.00
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	50	4* (See Sec 5.3.17)	3.00
Mixed-use >20,000 sq. ft.	<u>2</u>	<u>25</u>	40	3	2.00
Any other permitted use	<u>2</u>	<u>25</u>	35	2 ½	1.00
<b>B2A</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2 ½	0.75
Apartment on street w/ ROW =<50 ft.	----	----	35	3	0.80
Apartment on street w/ROW >50 ft.	----	----	40	4	1.20
			25		

District Use	Minimum Allowed		Maximum Allowed		
	Minimum Height (ft.)	Minimum Height (stories)	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	60	5	3.00
Mixed-use >20,000 sq. ft.	<u>2</u>	<u>25</u>	50 50 40	4 4 3	2.00
Any other permitted use	<u>2</u>	<u>25</u>	35	3	1.00
<b>B3</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2 ½	0.75
Townhouse or apartment building 20,000 sq. ft.	----	----	60 40	5 3	1.40
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 50	5* 4	3.00
Mixed-use >20,000 sq. ft.	<u>2</u>	<u>25</u>	50 40	5 3	2.80
Any other permitted use < 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 40	5 3	1.00
Any other permitted use >= 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 40	5 3	1.40
<b>B4</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2 ½	0.75
Apartments on street w/ ROW =<50 ft. Apartments on street w/ROW >50 ft.	----	----	35 40 20	3 4	0.80 1.20
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 50	5 4*	3.00
Mixed-use > 20,000 sq. ft.	<u>2</u>	<u>25</u>	50 40	4 3	2.00
Any other permitted use	<u>2</u>	<u>25</u>	35	3	1.00
<b>B5</b>					
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	35	2½	0.75
Townhouse or apartment building	----	----	75 40	-----	1.50
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 50	5 4*	3.00
Mixed-use > 20,000 sq. ft.	<u>2</u>	<u>25</u>	60 40	5 3*	2.80
Any other permitted use	<u>2</u>	<u>25</u>	60 40	5 3	1.40
On a lot >= 40,000 sq. ft.	<u>2</u>	<u>25</u>	75 40	-----	1.50
On a lot >= 80,000 sq. ft.			75 40	-----	1.80

# ADMINISTRATIVE CORRECTION

## WARRANT ARTICLE

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### ARTICLE H

### ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction:  
Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.  
(Inserted at the request of the Redevelopment Board)

#### **Zoning Bylaw Amendment (additions are underlined, deletions are in ~~strikeout~~)**

Amend Section 5.9.2.C.(4) as follows:

(4) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section ~~8.1.3.E~~, 8.1.3.D, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section ~~8.1.3.E~~ 8.1.3.D shall govern and control.

# RESIDENTIAL USES IN BUSINESS DISTRICTS

## WARRANT ARTICLE

### ARTICLE I ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

#### Zoning Bylaw Amendment (additions are underlined, deletions are in ~~strikeout~~)

Amend Sections 5.5.1., 5.5.2. and 5.5.3. as follows:

##### Section 5.5.1. Districts and Purposes

- A. B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include ~~one- and two- three-~~family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.

##### Section 5.5.2. Dimensional and Density Regulations

###### A. Tables of Dimensional and Density Regulations

###### B District Lot Regulations Minimum Requirement

Use District	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
<b>B1</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	6,000	2,500	60
<b>B2</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	6,000	2,500	60
<b>B2A</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	6,000	2,500	60
<b>B3</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	6,000	2,500	60
<b>B4</b>			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	6,000	2,500	60
Mixed-use <=20,000 sq. ft.	-----	-----	50
Mixed-use >20,000 sq. ft.	>20,000	700	50
Any other permitted use	6,000	2,500	60

Use District	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
<b>B5A</b>			
Three-family dwelling	6,000	2,500	60

#### B District Yard and Open Space Requirements Minimum Requirement

Use District	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft)	Rear Yard (ft)
<b>B1</b>			
Three-family dwelling	20	10	20
<b>B2</b>			
Three-family dwelling	20	10	20
<b>B2A</b>			
Three-family dwelling	20	10	20
<b>B3</b>			
Three-family dwelling	20	10	20

#### B District Open Space and Lot Coverage Minimum Requirement

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
<b>B1</b>			
Three-family dwelling	10%	30%	-----
Mixed use	20%	Sec. 5.3.21	-----
Any other permitted use	20%	Sec. 5.3.21	-----
<b>B2</b>			
Three-family dwelling	10%	30%	-----
<b>B2A</b>			
Three-family dwelling	10%	30%	-----
<b>B3</b>			
Three-family dwelling	10%	30%	-----
<b>B4</b>			
Three-family dwelling	10%	30%	-----
<b>B5</b>			
Three-family dwelling	10%	30%	-----

#### B District Building Height and Floor Area Ratio Regulations Maximum Allowed

Use District	Maximum Requirement		
	Maximum Height (ft)	Maximum Height (stories)	Maximum Floor Area Ratio (FAR)
<b>B1</b>			
Three-family dwelling	35	2 ½	0.75
<b>B2</b>			
Three-family dwelling	35	2 ½	0.75
<b>B2A</b>			
Three-family dwelling	35	2 ½	0.75

	Maximum Requirement		
Use District	Maximum Height (ft)	Maximum Height (stories)	Maximum Floor Area Ratio (FAR)
<b>B3</b>			
Three-family dwelling	35	2 ½	0.75
<b>B4</b>			
Three-family dwelling	35	2 ½	0.75
<b>B5</b>			
Three-family dwelling	35	2 ½	0.75

Class of Use	B1	B2	B2A	B3	B4	B5
<b>Residential</b>						
Single-family detached dwelling						
Two-family dwelling, duplex dwelling						



# STREET TREES

## ARTICLE J

## ZONING BYLAW AMENDMENT / STREET TREES

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.  
(Inserted at the Request of the Redevelopment Board)

### **Zoning Bylaw Amendment (additions are underlined, deletions are in ~~strikeout~~)**

Amend Sections 6.3.2, 6.3.3, and 6.3.4 as follows:

#### 6.3.2. Applicability

In the Business and Residential Districts, new construction, additions over 50% of the existing footprint, or redevelopment subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals shall provide one public shade tree every 25 linear feet of lot frontage along the public way.

#### 6.3.3. Administration

A. This Section 6.3 shall be administered subject to Sections 3.3, Special Permits, ~~and~~ 3.4, Environmental Design Review, and Section 9.x by the Arlington Redevelopment Board. It shall be administered by the Zoning Board of Appeal for projects under its review. It shall be administered by the Department of Planning and Community Development if the project is not subject to review by the Arlington Redevelopment Board.

B. After the effective date of this Bylaw, public shade trees shall be provided for any applicable use noted above ~~and subject to Section 3.4, Environmental Design Review~~, and in accordance with the Standards established in this Section 6.3.

#### 6.3.4. Standards

A. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips.

B. Trees shall be selected from the approved tree list set forth by the Tree Committee and approved by the Tree Warden.

C. When planted, trees must be a minimum height of ten (10) feet or two (2) inches in caliper.

D. All new trees shall be maintained in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Arlington Redevelopment Board may designate. Properties in which there are preexisting public shade trees at the required spacing along the public way are exempt.

E. Where there is no other suitable location within the public way, shade trees may be proposed in locations within the lot, or in exceptional circumstances the Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may allow the owner to make a financial contribution to the Arlington Tree Fund. The Department of Planning and Community Development may make such allowance for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

The Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may grant an increase in spacing between plantings where a new planting would conflict with existing trees, retaining walls, utilities, and similar physical barriers, or other curbside uses. The Department of Planning and Community Development may grant such increase for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

The Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may grant an increase in spacing between plantings where a new planting would conflict with existing trees, retaining walls, utilities, and similar physical barriers, or other curbside uses. The Department of Planning and Community Development may grant such increase for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.



TOWN OF ARLINGTON  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Arlington Redevelopment Board  
From: Claire Ricker, Director  
Kelly Lynema, Assistant Director  
Date: December 1, 2022  
RE: Redevelopment Board 2023 Zoning Amendments

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At the October 17, 2022 Redevelopment Board meeting, Board members discussed potential zoning amendments to submit on the warrant for 2023 Town Meeting. After discussion, the Board indicated a desire to put forward a series of administrative or clarifying amendments, as well as a number of more substantive amendments. Below is a preliminary staff analysis of the amendments as discussed at that meeting.

**Amendments to Business District Zoning**

**Of Arlington's 2,558 acres of zoned parcels, only 3.7% are within the Business Districts<sup>1</sup>.** This 3.7% of zoned land, when combined with the smaller Industrial District properties, carries the primary burden of generating Arlington's commercial tax revenue. During the Board's fall retreat and at the October 17 meeting, the Board discussed a number of amendments to encourage commercial redevelopment and attract new commercial uses to the Business Districts (B1, B2, B2A, B3, B4, and B5), while supporting additional Town goals for sustainability, urban design, and overall site standards. In each of these recommended changes, the ARB seeks to identify the current intent or goals in each element of the zoning bylaw and craft amendments that seek to advance those goals.

**1) Open Space Requirements in Business Districts**

In recent meetings the Board has discussed the conflict between the Zoning Bylaw's usable open space requirements and the purpose or intent of "usable open space" as defined in the Bylaw. The Board has also noted ways in which the current usable open space requirement unduly restricts commercial and mixed-use redevelopment and limits the ability to redevelop without a net loss of commercial space.

To encourage redevelopment in the Business Districts to meet Arlington's economic development and sustainability goals, two key restrictions should be evaluated:

- **Usable Open Space is currently tied to residential gross floor area instead of parcel size.** As such, incentives to redevelop underperforming properties are restricted, as the area

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<sup>1</sup> Not inclusive of water bodies or roads. Only 2.69% of Arlington's total land area is zoned Business.

of each parcel that is dedicated to open space *increases* with each additional upper-story residential unit in mixed-use developments.

- The definition of usable open space limits where and how the public and private benefits of open space can be achieved. Rooftops can only count as open space if they are located not more than 10 feet above the level of the *lowest* story used for dwelling purposes, and is deemed usable only if 75% of the area has a grade of less than 8% and is at least 25 feet square. These limits effectively restrict building height beyond the limits set forth in the dimensional and density regulation tables. They also typically exceed the rear and side yard setback requirements for most uses in the Business Districts.

Beyond restricting the redevelopment potential for underutilized and vacant properties, the Board has discussed how the usable open space requirement and definition do not reflect the environmental and climate benefits that usable open space provides with regard to permeable surfaces, green roofs, locations for trees and landscape, access to the outdoors, and community gathering spaces for building social resilience.

On November 21, residents presented research from neighboring communities showing that most do not require usable open space in their business zoning districts, and of those that do, their usable open space requirement is a proportion of the parcel size, not residential gross floor area.

As less than 4% of Arlington’s total zoned land is within the Business Districts, and as the Zoning Bylaw already requires landscaped open space and shade trees (Section 6.3), staff recommend the following:

- For commercial uses (“any other permitted use”, as described in the zoning bylaw), eliminate the usable open space requirement. Maintain the 10% landscaped open space requirement but amend it to be based on lot area, not gross floor area.
- For mixed-use and multi-family residential, replace the current landscaped and usable open space requirements with a 15% landscaped open space requirement based on lot area, not gross floor area.
- Amend the definition of landscaped open space as follows: “Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof or balconies ~~not more than 10 feet above the level of the lowest story used for dwelling purposes.~~”

Additionally, while under this amendment usable open space would no longer be required in the Business Districts, staff recommend that the definition of usable open space be amended as follows: “Such space may include open area accessible to and developed for the use of the occupants of the building and located upon a roof or balcony ~~not more than 10 feet above the level of the lowest story used for dwelling purposes.~~”

One alternative discussed by the Board was to maintain a usable open space requirement, but eliminate dimensional and locational requirements, and allow applicants to make payments in lieu of providing usable open space. Somerville does not require usable open space—the city has an open space requirement and does not differentiate between types of open space—but when their 15% open space requirement results in 8,000 square feet or less of open space, an in lieu payment may be made for up to 100% of the required open space in whole or in part. The payment is calculated as five times the product of the square footage of open space not provided and the average cost to acquire, design and develop land as civic space. Payments are made to the Open Space Acquisition and Improvements Stabilization Fund.

## 2) Rear Yard Setback Requirements in Business Districts

Presently the rear yard setback requirements in the business districts are a function of building length and/or height, depending on use. These restrictions make it challenging to understand potential build-out, overly complicate the zoning bylaw, and present challenges to commercial redevelopment. Additionally, the prescribed setbacks incentivize redevelopment as residential uses instead of commercial or mixed use.

District	# Parcels	Med. Parcel Depth	Use	Setback Requirements (ft)
B1	106	99.5'	Any	20
B2	67	75'	Single family, two-family, duplex, three-family townhouse, apartment*	20
			Mixed use or other permitted use	10 + (L/10)
B2A	21	174'	Single family, two-family, duplex, three family*	20
			Apartments w/ ROW =<50ft	10 + (L/10)
			Apartments w/ROW > 50ft	(H + L) / 6
			Mixed use	at least 30' for apartments
			Other permitted use	
B3	79	88'	Single family, two-family, duplex, three family*	20
			Townhouse, apartment building, mixed use, other permitted use	(H + L) / 6
B4	89	104'	Single family, two-family, duplex, three family*	20
			Apartments w/ ROW = > 50	30
			Apartments w/ ROW > 50 ft	(H + L) / 6 (at least 30')
			Mixed use or other use	10 + (L / 10)
B5	24	99.5'	Single family, two-family, duplex, three family*	20
			Townhouse or apartment building	(H + L) / 6 (at least 20')
			Mixed-use	10 + (L / 10)
			Any other permitted use	(H + L) / 6
H = building height; L = length of a wall parallel to lot line				
* Given that such a small proportion of land in Arlington is zoned for business/commercial uses, staff question why redevelopment as a low-density residential use is allowed in the Business Districts.				

Staff reviewed the rear yard setback requirements in adjacent communities, as well as several communities with a higher commercial tax base, to assess the setbacks typically required in business or commercial zoning districts.

- Burlington: 10 to 15 feet
- Cambridge: None if abutting a nonresidential district, 20 feet if abutting a residential district
- Lexington: 10 to 20 feet
- Medford: 15 feet
- Somerville: Variable
  - 0 feet when abutting an alley or rear right-of-way
  - 10 feet when abutting non-residential districts
  - 20 feet for first three floors abutting a residential district
  - 30 feet for fourth and higher stories abutting residential districts
- Watertown: 15 to 20 feet
- Winchester: 15 to 20 feet

Note that none of these communities use a calculation to determine setback dimensions. Given the median parcel depth in Arlington's Business District, the fact that many older buildings along Mass Ave and Broadway have rear yard setbacks of less than 10 feet, and in light of what other communities in the region require, staff recommend the Board consider:

- Eliminate the lower maximum height and maximum height in stories within the tables for B District Building Height and Floor Area Ratio Regulations, along with references to Section 5.3.19, Reduced Height Buffer Area, and instead adopt a variable rear yard setback as utilized in Somerville's zoning ordinance;
- Amend Section 5.3.19, Reduced Height Buffer Area to 25 to 50 feet and adopt a variable rear yard setback as utilized in Somerville's zoning ordinance; or
- Replace any equations determining rear yard setbacks with a standard rear yard setback of 15 feet.

### 3) Step-back Requirement in Business Districts

Approximately 44% of parcels in Arlington's Business Districts located on corner lots and have two or more frontages. Currently this means that redevelopment of those properties requires a step back on more than one frontage at the 4<sup>th</sup> floor. The table below provides an overview.

District	# parcels	Frontages			Med. Parcel Depth (ft)	Med. Parcel Size (sf)
		1	2	3+		
B1	106	63 (59%)	42 (40%)	0 (0%)	99.5	5,984
B2	67	31 (46%)	33 (49%)	3 (4%)	79	5,404
B2A	21	12 (57%)	7 (33%)	1 (5%)	174	24,186
B3	79	43 (54%)	28 (35%)	7 (9%)	88	5,917
B4	89	49 (55%)	35 (39%)	4 (4%)	104	7,863
B5	24	16 (67%)	7 (29%)	0 (0%)	99.5	6,529
Five parcels in the Business Districts have no frontage.						

Given the relatively small average parcel size in most Business Districts, and with additional setback, open space, and parking buffer requirements, the requirement to step back along more than one frontage results in unusable or uneconomical upper story space.

A review of zoning regulations in Arlington's neighboring communities reveals that most do not have step-back requirements. Of those that do require step-backs, the step-back requirement either does not begin until a height of 65 feet, or the step-back is required as part of the community's design standards to allow Planning Boards the flexibility to negotiate step-backs as part of overall design review. Some communities requiring step-backs require them only on the principal façade. In Somerville, buildings on a lot less than 65 feet dep are exempt from step-back requirements.

Staff recommend the Board consider requiring step-backs only on the principal façade of a structure (e.g., the façade facing Mass Ave or Broadway), and explore whether to waive the step-back requirement for small parcels.

#### 4) Height Minimums in Business Districts

The Board has expressed a desire to encourage redevelopment in the Business Districts with a traditional mixed-use building type with active ground floor uses and housing or office uses above. One method for doing this is to prohibit the development of new single-story structures. Establishing a height minimum is an effective way of intensifying development opportunities, efficiently using limited land resources, and increasing the diversity of business types in Town.

Within the Business Districts, the lowest maximum height is 25 feet. This standard applies in the B2A District for apartments on streets with a right of way narrower than 50 feet if/when the residential height buffer is applied. Typical maximum heights in the Business District zoning range from 35 feet to 60 feet and 3 to 5 stories.

As the Board has experienced, however, maximum heights in the Business Districts are typically not achievable. While the amendment to FAR by 2022 Town Meeting has made redevelopment of underutilized properties more attractive, other requirements such as setbacks, step-backs, usable open space, parking buffers, and minimum lot areas and frontages frustrate the ability to reach the maximum allowable heights. Additionally, given that the majority of parcels in the Business Districts abut parcels in the R1, R2, or Open Space Districts, the reduced height buffer area (Section 5.3.19) applies nearly universally to the Business Districts and effectively lowers the allowable height across entire parcels.

To avoid creating a requirement that could effectively prohibit redevelopment entirely (e.g., require a height that is unachievable due to other dimensional restrictions and buffers), staff recommend establishing a minimum building height of 25 feet or two stories for primary buildings in all Business Districts, with a requirement to include a second story that is at least 30% of the first floor dimension.

If the Board wishes to include an exception process, staff recommends requiring that an applicant provide evidence that physical circumstances exist for the property which result in a lot with a size or shape that is not conducive to a multi-story structure, and it can be demonstrated that there is a direct benefit to the community to have a one-story structure at the proposed location as opposed to a multi-story structure.

5) Arlington Heights Business District Consolidation

In 2019, the Town completed the [Arlington Heights Neighborhood Action Plan](#)<sup>2</sup>, which recommended a number of zoning amendments, policy changes, and activities to generate redevelopment opportunities in Arlington Heights. The plan was informed by two well-attended community forums, outreach to local businesses and property owners, and meetings with a steering committee. One key zoning recommendation of the plan was to create an entirely new business district—the AHB District—that reflects a vision for the neighborhood to replace the four separate business districts in the Heights.

The AHB District would include all land zoned in any of the existing Business Districts within a defined geographic area, as well as the MBTA lot currently zoned Transportation. Establishing this district would require a zoning amendment and map change to Business District and Transportation parcels between the Massachusetts Avenue and Forest Street intersection in the east and the Massachusetts Avenue and Drake Road intersection in the west.

The plan studied the requirements in the Business Districts within this area and provided the following generalized height and use characteristics for the study area (a complete analysis by use is attached):

District	Height limit	Uses/Comments
Neighborhood Business District (B2)	35' / 3 stories 50' / 4 stories for mixed-use	Retail and services oriented for pedestrians
Major Business District (B2A)	40' / 4 stories 60' / 5 stories for mixed-use	Retail and service establishments; medium density housing
Village Business District (B3)	60' / 5 stories	Retail, services, offices. Mixed-use with residential encouraged. Pedestrian oriented.
Vehicular Oriented Business District (B4)	40' / 4 stories 60' / 5 stories for mixed-use	Retail oriented toward automotive traffic; larger parking lots; includes auto sales, service stations. Town is encouraging shift to office, retail, services.

The plan concludes that there are more similarities among the four districts than differences, and that having four commercial zoning districts within this small area is confusing, unnecessary, and does not lead to the development of a cohesive business district. It additionally notes that current land uses are similar enough that four different districts are not required to differentiate either uses or scale of development.

AHB Zoning District	Plan recommendation	Staff recommendations
Minimum lot area	5,000 sf	5,000 sf
Lot area / dwelling unit	800 sf	Do not establish; this is a redundant requirement as height, setbacks, and FAR already appropriately constrain massing. In the Business Districts, lot area / dwelling unit does not apply in mixed-use development on parcels smaller than 20,000 square feet.
Lot frontage	30 ft	30 ft
Front yard	Varies, contextual with adjacent properties	0; consistent with mixed-use and other permitted use requirements in B2, B2A, B3, and B4 Districts

<sup>2</sup> Available at <https://www.arlingtonma.gov/home/showpublisheddocument/46654/636942124172100000>



AHB Zoning District	Plan recommendation	Staff recommendations
Side yard	0 ft	0 ft; consistent with mixed-use and other permitted use requirements in B2, B2A, B3, and B4 Districts
Rear yard	20 ft	15 ft; consistent with recommendation above.
FAR	2.0	3.0; note that the 2.0 recommendation pre-dates the 2022 Town Meeting amendment to allow higher FAR.
Max height	60 ft / 5 stories 50 ft / 4 stories	60 ft / 5 stories 50 ft / 4 stories
Height buffer	25-50 ft	25-50 ft
Landscaped open space	20% of gross floor area; allow up to 25% on balconies or rooftops	20% of parcel size; allow up to 25% on balconies or rooftops
Usable open space	Eliminate for multi-family and mixed-use development	Eliminate for multi-family and mixed-use development

## Clarifications / Amendments

### 6) Industrial District Clarifications

2020 Special Town Meeting approved a suite of amendments to the Industrial zoning district. Since then, the Board has noted several clarifying amendments as outlined below.

#### *Self-storage facilities*

Self-storage facilities were originally allowed as a low intensity use with the potential for generating additional tax revenue without accompanying traffic / mobility concerns. The ARB has proposed eliminating self-storage facilities as an allowable use in the I district. As an alternative to prohibiting the use entirely, the Board may wish to consider allowing self-storage facilities only in a building with more than one (1) principal use, excluding another self-storage use.

#### *Industrial District Uses*

The Board asked staff for information on other uses that have been requested for the Industrial District but which might not currently be allowed.

- Doggie daycares:  
A business owner reached out to DPCD to enquire about opening a doggie daycare as a use in an existing multi-tenant building, however animal care is not an allowed use in the Industrial District. If the Board wanted to allow this use, staff recommend the following:
  - Add a Y under the Industrial District uses for “Veterinary and animal care; accessory overnight boarding only for veterinary/medical care in an enclosed building”.
  - As an alternative, and to limit redevelopment of existing industrial space as single-story animal care facilities, consider allowing this use only in a building with more than one (1) principal use, excluding another veterinary and animal care use.

- Other uses:  
Fast-order food restaurants are not currently allowed in the Industrial District, however standard restaurants are permitted. Given the type of restaurant uses that typically serve as companion uses with breweries and distilleries, and given Arlington's current alcohol policies, the Board may want to consider allowing fast-order food as a Special Permit use.

#### *Residences allowed in the Industrial District*

The Board had asked whether Section 5.6.4(H) required an amendment to clarify the type of residences allowed in the I district. In the table of uses under Section 5.6.3, *Use Regulations for MU, PUD, I, T, and OS Districts*, the only residential use allowed in the I district is artists' mixed use, which is subject to a special permit. Based on this restriction, staff do not believe that Section 5.6.4.H needs to be amended.

#### *Industrial Districts and the New Solar Bylaw*

On September 15, 2022, the Attorney General's office requested an extension of their review of the Article 30, the Solar Bylaw amendment. Barring another request for an extension, the office will issue a decision on December 28, 2022.

If the Attorney General approves the amendment, the following items under Section 5.6.2(D) should be amended: will need to be amended as follows:

- The second bullet under Section 5.6.2(D)(1), Renewable Energy Installations, should state, "All new commercial and mixed-use buildings shall ~~be solar ready~~ comply with Section 6.4, Solar Energy Systems."
- The second bullet under Section 6.5.2(D)(7), Exceptions to Maximum Height Regulations in the Industrial District, should state, "Provide one (1) of the following sustainable roof infrastructure components. Projects requiring Environmental Design Review are also subject to Section 6.4 and must therefore provide one additional component."
- The third sub-bullet under Section 6.5.2(D)(7) should state "Install solar energy panels tied to the electrical system of the building under the standards set forth in Section 6.4."

Ultimately, as the Redevelopment Board is charged with review of uses and structures that have a substantial impact on the town and on property values, it may be appropriate to expand Environmental Design Review to include all properties in the Industrial District. If the Board agrees, then Section 3.4.2, Applicability, should be amended to include the following under a new subsection J:

- J. Construction, reconstruction, or change of use requiring a Special Permit on a site within the Industrial Zoning District.

#### *Industrial Districts and Stormwater Retention*

Staff are working with the Town's Environmental Planner/Conservation Agent to identify the appropriate size of storm that should be retained and treated on site and/or refer to

Conservation Commission guidelines to recommend an appropriate amendment to this section of the bylaw.”.

7) Correction to Section 3.1(B), “Building Inspector; Enforcement”

2020 Special Town Meeting approved an amendment to Section 3 of the Zoning Bylaw that the Massachusetts Attorney General’s office later stated was inconsistent with state law. The ARB had recommended a vote of no action on the amendment (Article 17), but it was brought back to Special Town Meeting through a substitute motion.

Article 17 amends the Town’s zoning by-laws, Section 3, “Administration and Enforcement,” Subsection 3.1 (B), “Building Inspector; Enforcement,” to add additional text to the end of Subsection 3.1 (B), as follows (new text in underline):

No person shall erect, construct, reconstruct, convert or alter a structure, or change the use or lot coverage, increase the intensity of use, or extend or displace the use of any structure or lot without applying for and receiving the required permit(s) from the Building Inspector. No such permit shall be issued until the Building Inspector finds that the applicant is in compliance with the applicable provisions of Title VI, Article 7 of the Town Bylaws.

The Attorney General noted that the zoning bylaw, specifically Subsection 3.1(B), cannot be applied to authorize the withholding of a building permit for failure to comply with general bylaw requirements. The State Building Code governs the issuance of a building permit, and requires the Building Inspector to issue building permits where the applicant has demonstrated compliance with the State Building Code and the town’s *zoning* bylaws. Under state law, building permits may be withheld only if an applicant’s proposed project is in violation of the Town’s zoning bylaws, not for failure to comply with the town’s general, or non-zoning, bylaw requirements. As such, the zoning bylaw must be amended to strike the sentence underlined above.

8) Administrative Corrections

Section 5.3.21(D) erroneously referenced Section 0 instead of Section 5.5.2(A). This was a scrivener’s error and has since been administratively amended.

9) Adjustments to Gross Floor Area and Floor Area Ratio Calculations

Staff are working with the Director of Inspectional Services to review the definitions in Section 2 and calculation of Gross Floor Area in Section 5.3.22, and will report back to the Board on any recommended amendments at a future meeting.



## Town of Arlington, Massachusetts

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### Correspondence

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_-_Babiarz_-_09142023.pdf	Correspondence - Babiarz - 09142023
Reference Material	Correspondence_-_Blandy_-_09112023.pdf	Correspondence - Blandy - 09112023
Reference Material	Correspondence_-_Ericson_-_09122023_A.pdf	Correspondence - Ericson - 09122023 A
Reference Material	Correspondence_-_Ericson_-_09122023_B.pdf	Correspondence - Ericson - 09122023 B
Reference Material	Correspondence_-_Evans_-_09142023.pdf	Correspondence - Evans - 09142023
Reference Material	Correspondence_-_Fleming_-_09122023.pdf	Correspondence - Fleming - 09122023
Reference Material	Correspondence_-_Gray_-_09112023.pdf	Correspondence - Gray - 09112023
Reference Material	Correspondence_-_Harrington_-_09122023.pdf	Correspondence - Harrington - 09122023
Reference Material	Correspondence_-_Kaplan_-_09122023.pdf	Correspondence - Kaplan - 09122023
Reference Material	Correspondence_-_Keim_-_09112023.pdf	Correspondence - Keim - 09112023
Reference Material	Correspondence_-_Kulbach_-_09142023.pdf	Correspondence - Kulbach - 09142023
Reference Material	Correspondence_-_Mortimer_-_09112023.pdf	Correspondence - Mortimer - 09112023
Reference Material	Correspondence_-_Old_Schwamb_Mill_-_09142023.pdf	Correspondence - Old Schwamb Mill - 09142023
Reference Material	Correspondence_-_Phelan_-_09122023.pdf	Correspondence - Phelan - 09122023
Reference Material	Correspondence_-_William_-_09112023.pdf	Correspondence - William - 09112023

**From:** Jo Babiarz

**Sent:** Thursday, September 14, 2023 2:06 PM

**To:** Steve Revilak; om; k.kelleher76@comcast.net; Rebecca Gruber; Sanjay Newton; Eugene Benson; Eric Helmuth; Eugene Benson; Kin Lau; Rachel Zsembery; Stephen Revilak; Claire Ricker

**Subject:** Affordable and Equitable housing thoughts

To: Fellow TM members, Arlington Redevelopment Board members, Select Board members et al  
RE: Affordable/Equitable housing and the MBTA Working Group plan

I want equitable and affordable housing. I want residents in the new housing to benefit from a school system that is at least the same quality that our daughter enjoyed, or better. I want my new neighbors to have the same town services I now enjoy. I want this in my lifetime, not 50 years from now.

The MBTA working group has focused on potential, not feasibility or even likelihood. Meetings emphasize that no one can predict when these new units will be available but given the fact that there is so little land ready for development, we should expect delays. I part company when promises are not paired with a viable implementation plan.

I have discussed the relationship between a commercial/industrial property tax base and affordable housing, using Cambridge as a prime example. Without repeating that information, let us assume that somehow, somewhere, Arlington will muster sufficient subsidies to support affordable development. Let us further assume that one or two of the contemplated mixed use/multi-story projects will break ground in 2024. If built per the proposed zoning, what will the new residents' daily life be like?

The first question is how many units, and residents, will there be? The state does not require a "highest and best use" study to establish parameters on the size or number of units. Imagine five stories with three units on each floor – a studio, a one-bedroom, and one two-bedroom. The proposed plan would allow for three parking spaces, maximum, per floor, one per unit. This parking space works for the studio. If a couple moves into the one-bedroom, maybe it would work. One person has to work remotely, or in an area served by the MBTA, or be willing to bike in snowy weather.

The MBTA is currently dysfunctional. Students can't depend on the #77 to get them to the high school, never mind folks who use the red line for work. Two independent studies have given the T failing grades; there is no established timeline for corrective action. The "affordable and equitable housing" parking limitation bars those who commute outside of T service and bike lanes as potential residents. An electrician, plumber, or carpenter with a tool truck needs two spaces. For a couple with 2 children in a 2-bedroom, lack of transportation can be a deal-killer. (If the solution is side-street parking, note that the Select Board is still grappling with overnight parking in general and accessibility of fire trucks and ambulances in particular.) Yes, some folks will be able to work within the transportation restrictions; that is a subset of folks wanting "affordable and equitable" housing.

There is another design for these units – a combination of studio and one-bedrooms, so that there are 5 units on each floor, times 5 floors = 25 units = 25 cars. Are we effectively restricting these units to single people? Is that "equitable"?

**Are we saying that you can only have housing on our terms, not housing with amenities that other residents enjoy?**

Why are we making rules about housing for people 50 years from now? Those in IT know well the pace of technological advancement has exceeded all expectations. What tools/opportunities for healthy, environmentally sustainable living will be commonplace in 10 years? Will these new technologies be excluded by our plans? Maybe in 10 years the top floor of buildings will routinely be greenhouses. New York City is reviewing zoning that requires green roofs. Maybe the core of each building should be an atrium, with a passive cooling tower like the kind used in parts of the Middle East. Maybe the bottom floors will need to be “shelter areas” where people are protected against tornadoes and hurricanes. Maybe the stretch code and LEED will be obsolete in 10 years replaced by more effective technology. Does the proposed plan require revision in 10 years to accommodate these improvements?

In short, I advocate that Arlington do the minimum required by the state and add a sunset provision in 10 years that requires the Board to evaluate the success of the plan and allows for new technologies/improvements. If we approve more than the state requires now, we lose bargaining power to gain state subsidies, are behind foreseeable innovation and updated code requirements, and are limiting the availability of affordable and equitable housing to a subset of worthy residents.

Thank you for your time.

Jo Babiarz  
59 Edgehill Rd  
TM P 15

**From:** Charles Blandy  
**Sent:** Monday, September 11, 2023 11:25 AM  
**To:** Claire Ricker  
**Subject:** Comment to ARB re: Working Group's MBTA Communities Plan

To the Arlington Redevelopment Board:

This is a note of support for the Working Group's latest proposal. It is about what one would hopefully expect. It is a thoughtful plan that will help deal with the housing affordability crisis, and incorporates much of the best thinking about housing, social justice, and the environment.

1. It helps to create the conditions for a significant, but not overwhelming, amount of new housing. It leaves the vast majority of the town untouched.
2. The plan concentrates new multi-family zones along Mass Ave and Broadway. These are the major corridors in town with bus lines, which in many places would be enlivened by more residents and foot traffic.
3. The zones are spread out throughout town, which will equitably spread school enrollment.
4. It will increase the town's tax base, as multi-family housing is found to contribute more in taxes than residents consume.
5. The plan will help businesses by providing relatively affordable housing for residents near business districts, which means more foot traffic, more disposable income spent locally, and more tax revenue for the town.
6. It accords with the Fair Housing Plan and DEI Audit, as pointed out in DEI Director Jillian Harvey's and Teresa Marzilli's memo.
7. It creates incentives for more subsidized affordable housing under the town's inclusionary zoning, including height bonuses for going above the town's requirements.
8. It creates incentives for SITES certification for environmental attributes.
9. It has considered best practices for setbacks for tree growth (15' per the Arbor Day Foundation).

The town's Planning Department, consultant Utile, and the Working Group are to be commended for their thoughtfulness and perspicacity in drawing together so many interests and variables into the present proposal. I hope that the ARB will give this proposal every generous consideration.

Sincerely,  
Charles Blandy  
Town Meeting Member, Precinct 6  
58 Lombard Terrace #2

**From:** Keith M Marzilli Ericson

**Sent:** Tuesday, September 12, 2023 6:26 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Eugene Benson

**Subject:** Comply with but do not exceed the MBTA Communities Act!

Dear Arlington Redevelopment Board,

I am writing to urge you to dramatically rework the proposed zoning changes to reduce the increase in total unit capacity.

The current proposal allows for triple the Act's requirement. This will have dramatic negative impacts on schools and livability. We are not planning on building any more infrastructure, but the demands on our existing infrastructure will be intense.

Increased density is fine. The MBTA Communities Act is in fact setting a demanding standard. After reading all the proposals, I do not understand why the ARB is proposing such a dramatic increase in capacity. I think it will have long-lasting negative impacts on our town and our schools.

Best,

Keith Ericson

85 Coolidge Rd, Arlington, MA 02476

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Keith M Marzilli Ericson

Web: [www.practicingeconomist.com](http://www.practicingeconomist.com)



**From:** Keith M Marzilli Ericson

**Sent:** Tuesday, September 12, 2023 6:30 PM

**To:** Claire Ricker; Jim Feeney; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

**Subject:** Reject the Current ARB plan and produce one that is not excessive

I am writing to encourage you to reject the ARB zoning overlay plan and develop an alternative that complies with the MBTA Communities Act but does not exceed what it demands of our town.

The proposed plan goes far beyond what is required. We are already one of the densest communities in the state.

The proposed plan will harm existing Arlington residents and make our town a far less desirable place to live. The dramatic expansion in population will have impacts on town finances and congestion. What new school capacity will need to be built? Where will the funding for that come from?

Best,

Keith Ericson

85 Coolidge Rd, Arlington, MA 02476

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Keith M Marzilli Ericson

Web: [www.practicingeconomist.com](http://www.practicingeconomist.com)

**From:** Wynelle Evans  
**Sent:** Thursday, September 14, 2023 4:39 PM  
**To:** MBTA Communities; Claire Ricker  
**Subject:** question about elevator requirements

Dear all,

There has been a good deal of discussion on social media about the relationship between 4 stories and elevators, what set of regulations lays this out, and who enforces them.

The most relevant regs seem to be in MGL 521 CMR 28.00, which say that all multi-story buildings, with limited exceptions, shall be served by a passenger elevator. Copied below.

Could you please provide a link to the Building Code regulation that requires elevators at 4 stories or taller, as stated on pg. 24 of the Working Group's Final Report?

Many thanks for shining a light on this, and for all your work!

Best,  
Wynelle

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Wynelle Evans  
TMM, Pct. 14  
781.859.9291 cell  
[evco7@rcn.com](mailto:evco7@rcn.com)

<https://www.mass.gov/doc/521-cmr-28-elevators/download>

## 521 CMR 28.00: ELEVATORS

### 28.1 GENERAL

In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply with 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve. Elevators are not required under the following exceptions.

1. Buildings having only two levels may provide an interior accessible ramp complying with 521 CMR 24.00: RAMPS in lieu of an elevator.
2. Buildings having only two levels, in which each level serves an unrelated use and in which there is no internal stair, do not require an elevator if each level is accessible.
3. Freight elevators shall not be required to meet the requirements of 521 CM R 28.00 unless the only elevators provided are used as combination passenger and freight elevators for the public and employees.
4. Elevator pits, elevator penthouses, mechanical rooms, and piping or equipment catwalks shall not be required to meet the requirements for elevator access.
5. Where platform lifts are allowed to be installed in lieu of an elevator as per 521 CMR 28.12, Wheelchair Lifts/Limited Use Elevators.
6. Multiple dwellings where all accessible rooms and all public use and common use spaces are on the accessible level.
7. Transient lodging facilities of less than three stories in height and where all accessible rooms and all public and common use spaces are on the accessible level.

**From:** James Fleming  
**Sent:** Tuesday, September 12, 2023 1:55 PM  
**To:** Claire Ricker; Rachel Zsembery; Kin Lau; Stephen Revilak; Eugene Benson  
**Subject:** Recommendation for the MBTA-C main motion

Hello!

Please consider this as additional public input for the MBTA-C hearings!

In reading the main motion I saw the 10' side setback for neighborhood multifamily districts as shown in the image below. I would recommend a change like the following:

**Original**

12. Except as noted below, in *Section a. Bonuses*, the dimensional regulations are as follows:

District	MBMF – Mass. Ave	MBMF – Broadway	NMF
Max. Height in Stories	4	4	4
Max. Height in Feet	52'	52'	46'
Front Setback	15'	15'	15'
Side Setback	5'	5'	10'
Rear Setback	20'	20'	20'

**Recommended change:**

*One side: min. 5ft*

*Sum of two sides: min. 20ft*

*Note: We have this sort of requirement in the zoning bylaw already for the R3 district*

By way of example, our lot is 50' wide, and the home has a 5' setback on one side and a 15' setback on the other side. This arrangement is very convenient because it means we don't have to do tandem parking.

Were a house like ours to be included in the district (ours currently is not), it would be non-conforming with the NMF overlay, which would add additional regulatory complexity to any redevelopment.

I believe making a change like this would strike a balance between setbacks and providing flexibility for dealing with existing conditions. It would be a shame if a building needed to be demolished to build multifamily housing, because the existing building could not be re-used due to the setbacks not being compliant.

- James Fleming, 15 Melrose St

**From:** Colin Gray  
**Sent:** Monday, September 11, 2023 9:33 PM  
**To:** Claire Ricker  
**Subject:** Supporting ARB Proposal

I attended the ARB meeting in Arlington Town Hall, and was impressed by the proposal.

Could you send me resources on how I might get involved in supporting the proposal, or forward me to someone who might be able to? We moved here somewhat recently, so I'm not fully familiar with the local groups or Town Meeting schedule / procedures.

Thank you for all the work you do,

Colin Gray  
70 Egerton Rd, Arlington

**From:** Stephen Harrington  
**Sent:** Tuesday, September 12, 2023 5:09 PM  
**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Eugene Benson  
**Cc:** Claire Ricker  
**Subject:** MBTA Communities Act

Dear Arlington Redevelopment Board members,

Perhaps, as a litmus test, if your public hearing results in the chair of the meeting calling the police, you may not have "widespread" public support.

A reasonable person might conclude, the MBTA Communities zoning bylaw is DOA; the Working Group did a poor job.

Pull the article from the warrant and try again, maybe be a bit more inclusive to marginalized voices next time.

Stephen Harrington

Overhead last night:

make sure to conduct yourself in a civil and courteous manner to all of the speakers this evening. If an individual reportedly repeatedly fails to adhere to this requirement, they will be asked to remove themselves from this public hearing.

Arlington is not a town that leads the region when it comes to adopting policies that are rooted in equity and social, economic, and environmental justice.

Okay, no applause, thank you. We are going to close public comment. If we have this, if this continues, we will close public comment if this continues. Thank you.

I'm going to state one more time. If the applause continues. This will be our last speaker

The next time I hear applause like that, that will be the end of public comment.

And this will be our last speaker this evening. I was very clear at the beginning that the end of public comment was 10 p.m. And I asked, this is not a discussion. I was very clear at the beginning. You may leave the room. You may leave if you cannot be civil.

Thank you. That's enough. Anyone who was not able, as I mentioned at the beginning of the meeting. Order. Thank you. Order. Order. We will be moving on. As I mentioned at the beginning of the meeting, the public comment ended at 10 p.m. We are now moving back to the discussion of the Redevelopment Board. We are going to pause the meeting while we ask a police officer to come to help us remove some of these folks from the room who are causing a disturbance. Thank you.

Excuse me, we're in the midst of a meeting. Thank you.

**From:** Liz Kaplan  
**Sent:** Tuesday, September 12, 2023 12:03 PM  
**To:** Claire Ricker  
**Subject:** MBTA Communities

Hello:

I was not able to attend last night's meeting but am writing to support the MBTA Communities Working Group's proposal for MBTA Communities zoning districts in Arlington.

I believe this proposal will help Arlington and our region grow in a way that is both equitable and economically favorable, both of which are important to me as a town resident since 2015. The working group's proposal balances the interests of multiple stakeholders and does a good job prioritizing mixed-use space, affordable housing and sustainability.

I hope the ARB will move the working group's proposal forward. Thank you for your consideration.

Best,

Liz Kaplan  
11 Cornell St. #2  
703-593-1865

**From:** Joanne Cullinane

**Sent:** Monday, September 11, 2023 3:02 PM

**To:** Rachel Zsemlery; Stephen Revilak; Kin Lau; Eugene Benson; Melisa Tintocalis

**Cc:** Claire Ricker; ZBA; Diane Mahon; Len Diggins; John Hurd; Stephen DeCoursey; Eric Helmuth; Jim Feeney; MBTA Communities

**Subject:** Re: MBTA overlay plan is disastrous for Arlington

To: Distinguished Members of the Arlington Redevelopment Board

Cc: Arlington Select Board, Planning Dept Director, Town Manager, Working Group Members

I'm writing to oppose the MBTA overlay working group's plan because it is too large and i do not believe it is in Arlington's best interests.

I have lived here for 20 years and have seen changes but these changes would be so far reaching as to render the Town unrecognizable and do not include provisions for affordability, environmental protection, or fiscal health, in return. Most people I talk to don't seem to know that a volunteer group has proposed over compliance.

Please put forward a minimally compliant plan that adds 2046 units and no more. Please then begin a long term study of what those new developments do to our budget imbalance, our schools, our roads, and public safety budget, etc. in the coming decades.

Please eliminate fifth and sixth floor bonuses, and \*all\* zero set-back bonuses.

Please put the 2,046 units in sensible areas that are not clustered in one or two school districts. (More density in less dense areas, as the state should have done instead of punishing us for our density).

Please rework the plan significantly for 2024 Town Meeting. This is what i believe public servants and employees who work for Arlington's residents must do as a matter of due diligence.

Thank you,

Russell Keim

69 Newland road

**From:** Lisle Kulbach

**Sent:** Thursday, September 14, 2023 11:43 AM

**To:** Claire Ricker; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher

**Subject:** Discussion of MBTA mandate plan

I am writing to the ARB with the hopes that you will take into account my questions and point of view. I have attended several of the meetings by zoom, gone to 2 office hours, and was at the meeting the other night, Sept. 12, 2023.

I will start with some of my questions.

How was the working committee formed?

Did they volunteer?

I see that some of them are architects and developers.

I am trying to see the situation from their point of view.'

I live one block away from Wildwood Ave. on Plymouth St. From the map of the current plan, all of Wildwood Ave on the side closest to Mass. Ave would be opened to development. One of my concerns is that there could possibly be new construction for years. Another concern is that some of Wildwood is on a hill. Has that been taken into account in terms of the height of new buildings? When I brought that question up at an office hours meeting I attended, the representative for the Working Committee replied that the committee had not reached that level yet. And yet, they are presenting this plan to the ARB. The plan is based on a map that does not even show elevations. I watched a zoom meeting where Kin Lau explained that on one side of Mass. Ave. in Arlington Heights the land is a very steep uphill. From the reaction of the Working Committee, it seemed to be something they had not thought about, and were not aware of.

As I understand it, Arlington is already in compliance with the mandate. Arlington could already get the money from the state even if it did nothing. Am I wrong? The committee keeps saying that there is a November deadline.

As far as publicity for this major building project, the working committee has proudly talked about their excellent outreach. But I can't agree with that. I did not find out about these plans until my precinct representative sent out an email. Did I see one sign in front of the Town Hall that mentioned this plan? How about the library? In a store? Or on a postcard. Last week I received a postcard.

As well, someone the other evening mentioned that when the committee did talk to people their outreach, they would ask general questions, such as, do you think there should be more equitable housing in Arlington? Most people would agree that there should be more equitable housing, but with no knowledges of the details, they are really not being included in the process or the outcome. I think the two meetings I attended in Town Hall show the frustration of town members who feel helpless about the implementation of the mandate. As well, I only found out after attending several meetings, that Arlington is already in compliance, which is why there never has been a map showing what minimum compliance would look like. Why did it take so long for that point to be made? From the working committee, I only hear the pros, why they support over compliance, but never the ground base from which to make an informed decision.

The committee also says that people can no longer afford to live in Arlington, the kind of people that once made up the bulk of the population. But then on the other hand, they committee does not really seem to be committed to the implementation of affordable housing. They are committed to uphold "by right". When I asked about that at a session I attended, I was told that affordable housing is not in the mandate.



Another point that people who approve of over compliance make, is that Arlington used to have more people. I knew people in Arlington in the 1970s. A family with 6 people lived in a single family house, 2 parents, 4 kids. I think that now, not so many people have that many kids, so fewer people are living in the houses. But I don't think Arlington had more houses at the time. The people that are making the point about how many people lived in Arlington in the 1970s are talking about population, but not about housing.

In an office hours meeting I attended, a woman on the working committee made the comment that the people that are against opening up Arlington to, at this point it seems like 3 times more building than mandated, "are the people with the loudest voices," ie, she didn't really need to listen to us because there were enough people that agreed with over compliance that it was just a matter of explaining her side of the issues. Since there has not been a real questionnaire to the whole town, with no real accurate information, it's really impossible to gauge where Arlington stands as a whole on this issue. The people that object to the current plan feel as if no one is really listening to them.

One man the other evening mentioned that if Arlington is really trying for a 0% carbon foot print, why aren't we saying that whatever is built should be "green". That would be of interest to me, and open my mind considerably to development.

There have been many complaints about the two buildings at the corner of Lockeland Ave and Mass Ave. When I mentioned those two buildings at an office hours, the fact that there is so little room between the buildings and the sidewalk, among other complaints, I was told that the plans for those buildings had been approved. Is that what we can expect in the future?

For more than a year, the house across the street from me has been in renovation. They seem to be doing a good job, but the trucks on the narrow street bringing in materials, and the noise of different equipment, has been ongoing and unpredictable. I've had to go inside sometimes when I wanted to sit outside, or garden, or talk on my phone, because it was too loud to think or be heard. If Wildwood Ave receives the go ahead to the "by right" injunction, 7 continuous blocks could simultaneously be experiencing tearing down and building.

Who would oversee the building process?  
Who would approve the designs?

The developers of the building across my street wanted to install a second driveway. Many people that live on the street attended a zoom meeting where a discussion and points of view were aired. The discussion included the facts that the runoff from more asphalt on the downhill side of the house (where the driveway was projected to be) would cause flooding, the trees that the developer said were dead and therefore should be cut down, were not dead, a fire hydrant would have to be moved, and other points were made by the occupants of houses on the street. After several people had spoken, the developer backed down. Would there be that much oversight of each house on Wildwood Ave, or in Arlington in general? Who would have the time to follow each complaint?

I am open to new building in Arlington, but not at the level being considered.

Thank you for your time.  
Elizabeth Kulbach, 21 Plymouth St.

**From:** Susan M <susanmmortimer@hotmail.com>

**Sent:** Monday, September 11, 2023 3:24 PM

**To:** Rachel Zsebery <rzsebery@town.arlington.ma.us>; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher

**Cc:** Claire Ricker; Jim Feeney; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

**Subject:** The MBTA Communities Density Overlay Alternatives Before the ARB

I write today to restate my continuing concern regarding the MBTA Communities Working Group. I have written to the Working Group and attended several meetings. I am a working-class renter concerned for all working-class renters and home workers in my community. It is a community; NOT A MARKET. I have not seen my concerns ignored and unanswered. Thus, I feel compelled to continue to voice my concerns and bring them to the A.R.B. Going forward, my concerns will be shared with my Town Meeting Members as well.

Arlington is required to abide by the MBTA Communities Act. However, the Town's widely exaggerated interpretation troubles me as I see it as an escalation of Arlington's continued race to gentrify.

Tripling housing capacity will almost certainly entail razing more housing, to which the Town already assents in service to developers. I have witnessed neighbors testify against unchecked gentrification and seen how poorly they are treated. I have watched committees repeatedly ignore input, or worse, patronize concerned folks. Since the pandemic began Arlington has 'weaponized' Zoom to silence participants rather than using it to further participatory democracy.

Over the years I have attended multiple public forums where it is clear that the Town is going-through-the-motions and endeavoring to manufacture consent. There's much ado with slick promotional materials, paternalistic "listening sessions" and invitations to 'participate'. Dissent is ignored and Town Hall does as it pleases. (The same holds for the Human Rights, & Diversity, Equity and Inclusion Commissions. They crush and assimilate concerns and complaints, while giving the appearance of 'listening' in response to outrage about police violence, racism and gentrification. As we have seen, the Commissions function as gatekeepers for Town Hall, NOT for the community, and work mightily to keep folks in line.)

Again, I am concerned about Arlington's embrace of gentrification and paternalistic responses to working class people and renters. I believe that the new zoning is a continuation of gentrification - which it hopes to achieve through exploiting the MBTA Communities Act. The Town's intended 'compliance' with this law is subterfuge and will only render Arlington less diverse that it already is.

The MBTA Working Group's plan is cover for unchecked gentrification. DISPLACEMENT is NOT an unintended consequence of gentrification. It is deliberate. Gentrification is racist and classist.

I urge the Arlington Redevelopment Board to take heed and to craft a more just plan. Thank you.

Yours truly,

*Susan Mortimer*

*271 Mass. Ave.*

*Arlington MA 02474*



## THE OLD SCHWAMB MILL

17 Mill Lane ♦ Arlington, Massachusetts 02476 ♦ Telephone 781-643-0554 ♦ [www.oldschwambmill.org](http://www.oldschwambmill.org)

September 14, 2023

### VIA ELECTRONIC AND USPS MAIL

Arlington Redevelopment Board  
Town of Arlington  
730 Massachusetts Ave.  
Arlington MA 02476

Re: Alternative 2 / Neighborhood Multifamily District Proposal / MBTA Communities

Members of the Redevelopment Board:

At its meeting of September 14, 2023, the Board of Directors of the Schwamb Mill Preservation Trust, Inc. unanimously voted to request that its parcel at 17 Mill Lane (Assessor's parcel ID 058.0-0007-0009.0) be removed from the Alternative 2 Map depicting a proposed multi-family neighborhood area. Please see the attached map with the parcel circled in red.

We would like to believe that the Old Schwamb Mill's parcel was simply included by error. What appears on your map to be an ordinary rear boundary lot line between two land parcels is in fact an open segment of Mill Brook. We question whether conservation and/or flood plain issues were even contemplated.

We trust that it will be immediately understood why the Mill's inclusion is highly undesirable for Arlington from any point of view, and that the Alternative 2 maps will be revised accordingly.

Thank you for your prompt consideration of this matter.

Very truly yours,

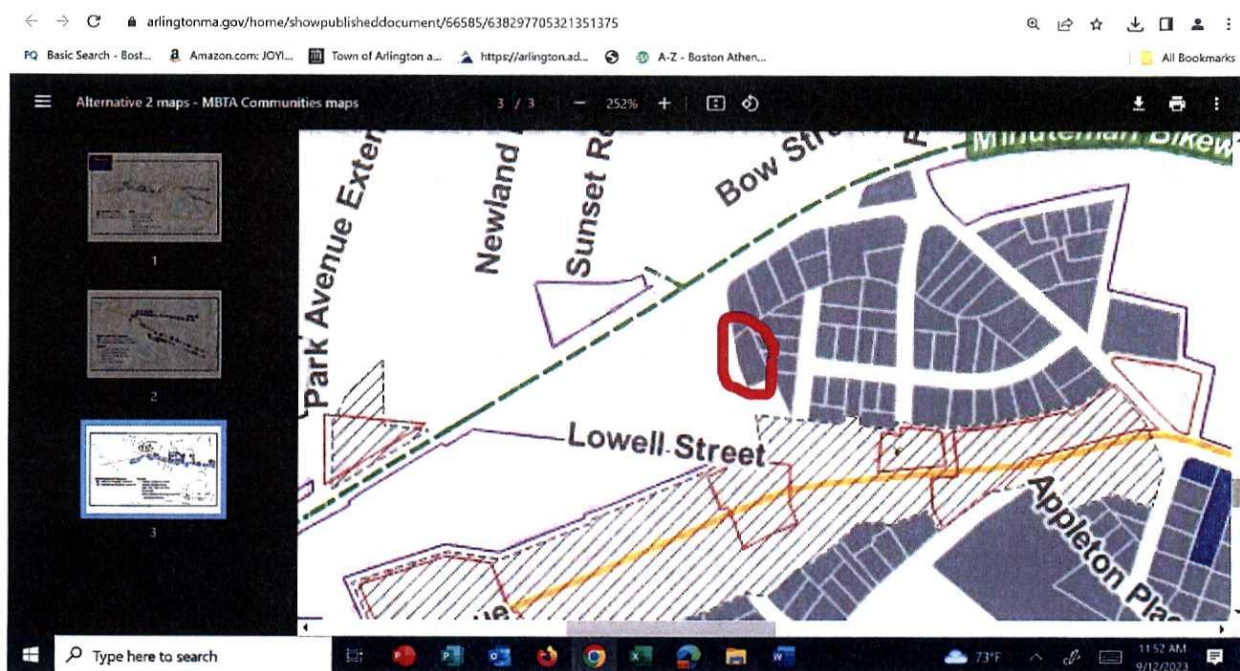
SCHWAMB MILL PRESERVATION TRUST, INC.

By:

Dermot Whittaker  
President

cc: Arlington Historical Commission

Claire Ricker, Director of Planning & Community Development, Town of Arlington  
Town of Arlington MBTA Communities Working Group



Attachment to letter of September 14, 2023 from the Schwamb Mill Preservation Trust, Inc. to the Town of Arlington Redevelopment Board.

The circled area is 17 Mill Lane, parcel belonging to the Schwamb Mill Preservation Trust, Inc., and occupied by the historic Old Schwamb Mill. Assessor's parcel ID: 058.0-0007-0009.0

Adjacent to an open section of Mill Brook (north), and Mill Pond Park (south).

**From:** michele phelan

**Sent:** Tuesday, September 12, 2023 7:34 PM

**To:** Claire Ricker; Eugene Benson; Stephen Revilak; Rachel Zsebery; Kin Lau

**Subject:** FOLLOW UP TO MONDAY MEETING

Thank you very much for all of the conversation, patience and time given to last night's meeting - and to all of the iterations of plans and proposals you have reviewed and debated over the past 10 or so months.

I was present last night but left right after the deadline for public comment - I didn't get to speak because I was low on the list of speakers.

I watched the end of the meeting online and some of my questions were answered except for a couple.

Gene made a comment that the WG proposal will only cover 109.1 acres of the town's 3517 acres - just .03%. While that is understood, the .03% that will be affected is essentially most of East Arlington - which will be vastly changed by this program.

My questions:

-The model outputs (showing number of units per sub district) displayed at the meeting are not readily available on the website. How can one access those for BOTH proposals?

-(report pg 21) How was the 7.5' setback for 5th and 6th stories of multi-use and residential buildings arrived at and is there room for conversation about that?

-(report pg 27) This question is out of the ARB purview, but important: how will the town begin collaborations with MBTA to plan for increased services to accommodate new development on Mass Ave and Broadway?

-(report pg 36) Can we add to the subdistricts at a later point in time? The report mentions Summer St, Park Ave, Mystic St, Pleasant St, Rt 2 Access Road.

Thank you,  
Michele Phelan  
Precinct 4  
Town Meeting Member since 2017



**From:** sachem.com  
**Sent:** Monday, September 11, 2023 7:25 PM  
**To:** Claire Ricker  
**Cc:** bgroves@sachem.com; Sandra Groves  
**Subject:** Overreach & disproportionate impact to East Arlington

Respectfully,

Having watched the July 2023 public meeting I think that most of the town does not know what is about to hit them as builders and real estate investors salivate at the naivety of those applauding radical plans to transform only some sections of the town and to maximum degrees.

As an engineer it's clear to me that the homework has not been done.

The city of Newton, with its MBTA station, has planned 3500 new units. For context Newton is over 18 square miles or more than 3x Arlington's size for its similar population count. Arlington is already on the top 10 most dense towns or cities in the State per the 2020 census. Rumored plans of multiples beyond the state law begs the question: Why not comply with the state requirements rather than over reach with significantly risky town changing numbers? The study committee haven't the impact studies to rationalize exceeding that mandate in regards to runoff flood risk for those of us in lower elevation flood zones, not studied traffic, noise, snow removal, heat island effects, lack of tree canopy, school/classroom requirements. There are no assurances that these plans & encouragements toward them won't be over crowded and shoddy constructed regrets that forced teardowns of 2 & 3 family houses for the sake of greatest revenue for a builder or long term leases. 1K sq foot units with no place to park a car is not family nor working class friendly especially when it will rent for \$3500/mo as is evident with the developments along Rte 2 in Cambridge. With so many uncertainties and lack of legal control over who will build what up -to the imposing apartment buildings you propose allowing in scope and as sited with setbacks how is this not simply a gift to builders & a disregard of homesteaders who have sunk their lives into 100 year old 2 family homes?

How is it that this plan ignores almost entirely single family homes but packs skyblocking structures around & in place of 2.5 story multifamily homes that dominate East Arlington along Boadway & Mass Ave?

Our family, having lived in a 2 family for 56 years is concerned and saddened at this cramming especially so much in excess of the state's mandate.

If our voices matter, and they seem not to given how few are surveyed, we say NO to plans that exceed state requirements by law and that have not accounted for significant negative impact to our investment and well being.

Sincerely,  
William, Sandra, and Wm Jr Residents of East Arlington since 1964 and home owner tax payers since 1974.